

THE
SATURDAY REVIEW
OF
POLITICS, LITERATURE, SCIENCE, AND ART.

No. 854, Vol. 33.

March 9, 1872.

[Registered for
Transmission abroad.]

Price 6d.

PRINCE BISMARCK AND THE SCHOOL QUESTION.

PRINCE BISMARCK is fighting his great fight against the enemies of the German Empire with all his wonted energy and resolution. But he makes no attempt to conceal from himself or the world that he has a very difficult task before him. It might be thought that the Prince could have little difficulty with the King of PRUSSIA or with a Prussian Parliament in defending against all adversaries the great prize which it has cost Prussia so much to win, and that the KING especially would be the last man to take any course that could be prejudicial to the German EMPEROR. And yet the Bill for placing the inspection of schools in the hands of State officials, and taking it out of the hands of the clergy, only passed through the Lower House of the Prussian Parliament by a majority of twenty-six; its passage through the Upper House is exceedingly doubtful; the KING is at best very lukewarm in its favour, and the QUEEN is dead against it. The cause of all this opposition is very simple. The Ultramontane clergy are using their influence in the schools to thwart and, if possible, to break up the German Empire. Prince BISMARCK wishes to baffle their action by placing Catholic schools under State inspection. But Prussia is a land of religious equality. What is done to one sect must be done to all. Consequently, if the clergy of Catholic schools are deprived of the control of those schools, the Protestant clergy must equally be deprived of the control over their schools. There may possibly be some disaffection to Prussia among a fraction of the Hanoverian Protestant clergy, but the Protestant clergy of Prussia generally have no more wish to break up the German Empire than they have to bring the Pope to Berlin. And yet, because their theological enemies are using the control of the clergy over schools for purposes which the Protestant clergy regard with aversion, the Protestant clergy are to be ousted from the control of their schools. This would be, in their view, to give a very unfair and very unwise advantage to non-religious teaching in Germany. Exactly the same thing, it may be remembered, has for many years been going on in Ireland, where extreme Catholics and extreme Protestants have been equally hostile to the national system. The Pietist party in Prussia, as it is called, thus regards the measure proposed by Prince BISMARCK as hostile to it, and thinks that this hostility is entirely undeserved on its part. This party is very strong in the Prussian Upper House, the QUEEN is devoted to it, and the KING has always maintained very cordial relations with it. A party so powerful and so highly favoured does not like to see itself sacrificed on account of the faults of other people, and therefore it objects to Prince BISMARCK's Bill. There seems to be no doubt that it is sufficiently strong in the Upper House to throw out the Bill if it acts in conjunction with the Catholics, but it may give way at the last moment rather than run the great risk of depriving the KING of the services of Prince BISMARCK, and of giving a triumph to the enemies of Germany.

It is certain that Prince BISMARCK would not confront such an opposition, risk his whole political position, and thwart the wishes of the Court, unless he was thoroughly convinced that the point for which he is contending is of overwhelming importance. Why it is so important he avows without the slightest disguise. In the speech he has made this week in the Upper House, he has drawn attention to the fact that in old days there used to be no religious difficulties in Prussia. Every sect was contented with its position, and the State and the clergy had no jealousy of each other. Why has this happy state of things ceased? The answer may be given in two words—Sadowna and Sedan. Prussia has humbled the two great Catholic Powers of the Continent, and those whom she has beaten are

seeking to avenge themselves by creating divisions in her midst. The miserable war of 1870 was in a great measure undertaken by France because the EMPEROR was pressed to risk everything against his better judgment by a clique who saw in the anticipated defeat of Prussia an Ultramontane victory. The victories of Prussia cost the POPE his temporal power, and gave the various schools of politicians opposed to the Papacy all the ascendancy of success. The sword of the flesh is for the moment lost to the POPE, and it is Prussia that has wrenched it out of his hands. If the POPE and his friends look round and see how they may regain what they have lost, they find that it is the German Empire that in every direction stands in their way. France might like to help them, but the heavy heel of the German is on the neck of France. Italy may be menaced and plotted against, but Italy goes on its way rejoicing, for the German Empire is its ally. Austria has as much as she can possibly do to hold her own, and in the hour of need she must lean on the German Empire for support. Theoretically there is of course no reason why the POPE should want the sword of temporal sovereignty to back his claims. Prince BISMARCK declares that with the merely spiritual claims of the POPE he has nothing to do. Catholics may, for all he cares, be good Catholics after such fashion as may please them. But all this is only theoretical. In real life it makes an immense difference what is the relation of the State to the Church, and if the State is the obedient instrument of the Church the spiritual power of the Church is immensely increased. To shut out all other forms of belief is the aim of every zealous ecclesiastical body, and this can only be done by the State placing its forces at the disposal of the Church. So long as great States like France and Austria were in a large measure controlled by the Church, it was not intolerable that the Church should be content with a bare position of equality in Prussia. But now that France and Austria are, for the moment at least, overshadowed by the German Empire, the notion of the State being used by the Church as its minister seems likely to die out of the minds of men. To avert this very probable phase of opinion it is in the eyes of Ultramontanes indispensable that, before the battle is wholly lost, the German Empire should be broken up; and they are therefore doing their utmost to bring about this chief aim of their endeavours, while Prince BISMARCK is doing his utmost to disappoint them.

The Ultramontane party have several modes of conducting their attack. They ally themselves with the Separatist party in North Germany. They strive to increase the disaffection of the South German Catholics. They manipulate the elections in the Rhenish provinces. They have even gone so far, Prince BISMARCK declares, as to agitate in favour of France. This certainly seems a strong measure if it is German priests who are addressing Germans, as Prince BISMARCK's words in the telegraphic summary would seem to imply. But it is not wholly unintelligible that the Ultramontanes should remind their more devoted adherents that France is, from an ecclesiastical point of view, their friend, and ought not to be pressed too hardly. France is to some extent suffering now for the misadventures of the Republican leaders of the 4th of September rather than for the faults of the EMPEROR, and it may sound a plausible theory to willing listeners that the part of the punishment of France which may be ascribed to the errors of the enemies of the Church should be remitted in dealing with a Power which is ready to be the good friend of the Church as soon as it can. But the great field of the Ultramontanes is Prussian Poland. They see there a great opportunity of striking a blow deep into the side of Prussia. They have been preparing the ground there with great energy and considerable success for many years. The late

Prussian Minister of Public Instruction was a great ally of theirs, and in order to promote the views of the Pietist party, to which he belonged, allowed very free action to the clergy generally, including the Catholic clergy of Poland. In order to keep their flocks free from the taint of Germanism, the Polish clergy have tried to confine the knowledge of the schoolchildren in Poland to Polish only, and whole villages which used to speak German have ceased to speak it. The idea of a Polish nationality, distinct in religion and language from Germany, is sedulously kept alive, and preparations are being quietly made for a great political stroke. Russia is trying to convince the Poles that it is entirely impossible they should ever be again an independent nation. They have only the choice between being Russianized and being Germanized, and they are urged to notice how much better it is for them to be Russians than Germans. The heads of the great Polish families in exile are said to be deaf to this appeal, and to maintain undiminished their deep distrust of Russia; but the appeal has not been without effect in humbler quarters. Russia is the only Power that, so far as can be seen at present, would have the slightest chance of opposing successfully the German Empire in arms, and Russia would start with a great advantage if Russian Poland was not only heartily with it, but would have a good chance of drawing Prussian Poland to follow in its steps. On the other hand, if the Papal party rendered, or contributed to render, this signal service to Russia, it might reasonably hope to make excellent terms for the Polish members of its religion. Russia and Ultramontaniam may be brought to work together, because each party has something to give which the other wants. This is no trifling or imaginary political danger, and it is not therefore surprising that Prince BISMARCK should use his utmost influence, and boldly warn his countrymen in time, so that this danger may be warded off before it assumes more serious proportions than it presents as yet.

THE HOUSE OF LORDS AND THE PUBLIC BUSINESS.

THE Duke of RICHMOND lately renewed the periodical complaint of the unequal distribution of business between the two Houses of Parliament. The House of Lords has sometimes scarcely anything to do before Easter, and in the latter part of the Session its work is inconveniently crowded. Lord GRANVILLE could not dispute the Duke of RICHMOND's statements; but, as he justly remarked, a complaint which has been repeated during fifty years indicates an intrinsic difficulty in the removal of the alleged grievance. Lord SALISBURY suggested a novel and questionable plan of introducing Bills simultaneously in both Houses, but it is highly improbable that so anomalous a contrivance should be adopted. One obvious inconvenience would arise from the inevitable reference which would be made in either House to the debates which might be concurrently proceeding in the other, and in many instances the entire discussion would be terminated and rendered useless by a division in another Assembly. It is not desirable that measures which are doomed to defeat in the House of Commons should be passed by the House of Lords, and in many instances promoters, though they may have no hope of carrying their Bills through the House of Lords, are reasonably anxious to obtain and place on record the approval of the House of Commons. There are already too many facilities for collision between the two Houses, and the number would be greatly increased by the practice which Lord SALISBURY proposes. Lord GREY recommended a more modest innovation in the form of a Standing Order, by which the House of Commons should reserve to the ensuing Session the transmission to the House of Lords of a Bill which the peers would otherwise not be able fully to discuss. In the next Session, under Lord GREY's plan, a single vote taken without debate would suffice to send the Bill at once up to the House of Lords. It is scarcely worth while to discuss a project, however ingenious or equitable, which will never be approved by the House of Commons. The Lower House is not disposed to increase the power of the House of Lords by giving it a larger share in legislation. If the proposed Standing Order had been in force during the last three years, neither the Irish Church Bill nor the Irish Land Bill would have become law in the Sessions in which those measures were respectively introduced. The opponents of the Government in the House of Lords would have announced that there had not been sufficient opportunity of discussion, and they would have contended that the Standing Order dispensed with any necessity for pressure. In both cases the autumn would have been occupied with a trouble-

some agitation, and the great majority of the House of Commons would have been baffled and irritated. The complaint that the House of Lords has not sufficient time for discussion is not unfrequently exaggerated. The previous debates in the House of Commons have for the most part reduced the controversy to its essential issues; and the peers have the laudable habit of confining their debates within moderate limits. The rejection of the Ballot Bill was not attributable to any want of time for examining or amending its detailed provisions. The measure might perhaps be essentially faulty; but it was not the proper business of the House of Lords, even if a majority had been favourable to the principle of the Bill, to elaborate the machinery of elections. The suspension of the Army Purchase Bill was founded on the alleged incompleteness of the measure, and not on the late period at which it was introduced into the House of Lords.

Lord SALISBURY remarked that the HOME SECRETARY was unwilling to allow the Bills relating to his department to be introduced where he could himself have no opportunity of explaining them; but even if the Home Office were, as in the days of Lord LANSDOWNE or Lord MELBOURNE, administered by a peer, it would still be necessary to introduce contentious matters in the House of Commons. Since the first Reform Bill no Government has commanded a majority in the House of Lords, except during periods which collectively amount to less than a fourth of the interval. As all important legislation has gradually fallen into the hands of the Executive Government, it is unreasonable to expect that Liberal Ministers should produce measures to be rejected or remodelled by an adverse Assembly. Lord HALIFAX mentioned the case of a Scotch Education Bill which, after being largely altered by the House of Lords, was restored to its original shape by the Commons, and ultimately defeated when it was returned to the House of Lords. If similar experiments were repeated, they would often be followed by the same results; and it is not convenient that the Minister in charge of a Bill should be compelled to inform the House of Commons that he disapproves of some of its material provisions. It is indeed agreed on all hands that party measures should be first introduced in the House of Commons; but it becomes more and more difficult to distinguish between different kinds of legislation. It would have been impossible to foresee that the Contagious Diseases Act, providing merely sanitary regulations, would furnish a pretext for a popular and unscrupulous agitation. If the measure had originated in the House of Lords, the male and female agitators who have frightened the Government into submission would not have failed to denounce the peers as the enemies of freedom. It was said in the course of the discussion that the duty of the Upper House is rather to revise than to initiate legislation. There is no objection to a theory which, although it may conflict with constitutional doctrine, corresponds to practice and to the actual relation between the two Houses. The more powerful body necessarily takes the initiative, and the less ambitious function of revision devolves on the weaker branch of the Legislature. If the House of Lords wishes for a larger share in the conduct of business, it must accustom itself to support Lord GRANVILLE or any other Minister who may succeed him. A friendly majority would often strengthen the hands of the Government by a careful supervision of the details of a measure; but in any case it would be necessary to avoid any action which could excite the jealousy of the House of Commons, and the large class of Bills which involve questions of money would not be within the competence of the House of Lords.

The most important of the remaining legislative functions of the House of Lords are those which relate to the amendment of the law. The subject is withdrawn from the region of party by the inability of laymen to interfere in the special province of lawyers. The House of Commons has little capacity or inclination for dealing with schemes of law reform, and those of its members who understand the subject best are for the most part overwhelmed with professional engagements. The law lords have learning, experience, and leisure, and they are for the most part entirely disinterested. The differences of opinion which arise among them seldom coincide with party distinctions; nor are the professed supporters of the Government always the most easily satisfied with the proposals of its legal members. The Bills which the LORD CHANCELLOR has undertaken to introduce for the constitution of a High Court of Judicature and a Court of Appeal will probably be founded on the Report of a Committee of which Lord CAIRNS was a leading member; and the searching criticism which may be expected from Lord WESTBURY will not be hampered by any excessive predilection for a Liberal Government. Although it is by a kind of accident that the House

of Lords has become charged with the amendment of the law, the lay members will be well advised in assisting to the utmost of their power the efforts of their professional colleagues. Practical services rendered to the community will outweigh theoretical arguments against hereditary legislation. Many of the powers and qualifications of all Assemblies, Governments, and other constituted authorities have been accidentally acquired. The House of Lords owes its existence to the fact that its original members were, independently of any legal or corporate privileges, the most powerful persons in the country. As other classes have gradually become important, the House of Lords has in some degree changed its character; but it still includes a large proportion of the leaders of social life, and as long as other institutions remained unchanged, its members would lose scarcely any of the power which they possess if they ceased to form a branch of the Legislature. It is perfectly natural that the most energetic of the peers should chafe at the restraints which are imposed on their conscious ability to serve the country; but when their chances of office and their numerous opportunities of exercising influence are taken into calculation, they have little reason to complain of disabilities which are inseparable from their position. Occasional remonstrances against the enforced inaction of the House in the earlier part of the Session only give occasion for demonstrations that the arrangement of business is natural and inevitable. In the present year there is reason to suppose that the peers will have abundant opportunity of discussing the Ballot Bill; and it may be hoped that they will not be tempted into any rash exercise of power. Their most prudent leaders will undoubtedly deprecate any attempt to overrule the deliberate and repeated decision of the House of Commons. According to the rules of political action, the Opposition in the House of Lords is bound to act in concert with the representatives of the party in the House of Commons; and neither Mr. DISRAELI nor his principal allies have thought it expedient to attempt to defeat the measure. Many peers disapprove of secret voting; and some of them may doubt whether the country at large really cares for a change which has after many years received the unanimous support of the Liberal party; but it is not desirable to shift the issue to a contest between the two Houses on a matter which directly and primarily affects only the constitution of the House of Commons.

THE ATTACK ON THE EDUCATION ACT.

MR. DIXON and Mr. RICHARD between them made the most of the case against the Education Act. The division of labour between the first two speakers undoubtedly saved the time of the House, and it had the further result—not perhaps foreseen by either mover or seconder—of showing that after all Mr. DIXON does not attach much value to the argument against the 25th clause which alone has given any real strength to the assault. “If,” he said, “I have at various times denounced the large building grants that have arisen out of the period of grace, the increase—nearly fifty per cent.—of the annual grants to the public elementary schools, and the payment of fees to Denominational schools, it is not because I think those measures have affected the question of religious equality.” Mr. DIXON may have other reasons for disliking these features in the Act; but his motion would certainly not have obtained ninety-four votes had the theoretical objections on which he dwelt in his speech been all that were entertained by his supporters. The agitation against the 25th clause of the Act is a sectarian agitation or it is nothing. The only excuse for the language that has been used against Mr. FORSTER, and for the ostentatious martyrdom courted by several of the agitators, is that they have persuaded themselves that the principle of religious equality is somehow at stake. A man would not refuse to pay a school rate because he thought that by the adoption of a different machinery a better school might be obtained for the same money. He would do his best to get the Act altered, but in the interval he would go on paying cheerfully for such a school as it gave him. When therefore Mr. DIXON dissociates himself to some extent from the Nonconformist opposition to the Act, he weakens to that extent his own case. If his dislike to the Act were based on religious principle, he would of course be bound to oppose it in season and out of season; but, if he merely thinks it imperfect and timid, he is surely bound, after it has been welcomed by so many genuine friends of education, and has been passed by such large Parliamentary majorities, to wait until the event has justified his forebodings before endeavouring to

throw the country back into the educational chaos which existed before 1870.

Mr. DIXON's condemnation of the Education Act reduces itself to this—that it allows the Denominational system to coexist with a National system. Against this permission he urges three principal objections—first, that under the Denominational system the spending of large amounts of public money is entrusted to irresponsible managers; secondly, that the Denominational system creates dissatisfaction in the teachers; and, thirdly, that large as the sum entrusted to irresponsible managers is, it is still totally insufficient for the purpose in view. Let us assume that these three charges are true, and see how far they support the inference Mr. DIXON draws from them. By irresponsible managers is meant managers appointed by the subscribers to the school fund, and not by the ratepayers of the district. If Mr. DIXON's desire were simply to see the money entrusted to school managers spent as grudgingly as possible, his preference for ratepayers over voluntary subscribers would be quite intelligible. But this is not his object. He has a genuine zeal for education, though not, as it seems to us, a zeal according to knowledge, and he hopes to see a time when the amount of expenditure on schools and schoolmasters will be very much greater than it is now. Mr. DIXON's theory, we suppose, is that the ratepayers will be anxious to make their school a thoroughly good one, while the subscribers will be content so long as the religion they themselves profess is taught in the school. According to this view, Denominational zeal for the secular part of education is altogether feigned. The clergy and such of the laity as subscribe to Church schools are in their hearts indifferent to the children learning arithmetic or geography; all they care for is that they shall be taught the Church Catechism. This theory is opposed to a large number of recorded facts. One of the causes which did most to produce the Revised Code was the eagerness of voluntary school managers to carry children further in secular subjects than it was possible for them to go with profit in the short time they were at school. Mr. DIXON speaks as though the importance attached to the three R's in English elementary schools were attributable to the Denominational system. The truth is, that the prominence now given to the rudiments is due to a victory of the Educational Department over the Denominationalists. The clergy were more ambitious than “My Lords,” and in their desire to push forward a few clever children, they too much neglected the many backward children. If Mr. DIXON expects that a School Board in a rural district will have a higher ideal of education than the parson and his friends, he is certain to be terribly disappointed. The difference between the two, left to themselves, would be that the latter might neglect the rudiments in the supposed interest of more advanced studies, while the former would neglect them in the supposed interest of economy. Under the Education Act, however, neither are left to themselves. Both are subjected to the same check, and provided with the same inducements. Both have to submit to Government inspection. Both hope to obtain a Government grant, dependent on the results of that inspection. We contend therefore that, even if the managers of voluntary schools were fairly chargeable with being content with giving the minimum of secular instruction which will entitle them to a share in the Parliamentary grant, they are no worse in this respect than the majority of managers elected by the ratepayers, and that in the latter case, at least as much as in the former, the only real security against acquiescence in this low standard will be the supervision of the Education Department. And, supposing the two sets of managers to stand on the same footing in this respect, the Denominational system has the advantage of giving the public a large amount of money, freely contributed for educational purposes, in place of leaving the whole sum required to be wrung from careless or hostile local authorities.

The complaint of the schoolmasters, which forms the second head of Mr. DIXON's case, is twofold; that they are dependent, and that they are badly paid. They are the servants, they say, of the clergy, or, as one of them told Mr. DIXON, they are “anything between a gravedigger and a parson.” All, however, that this grievance amounts to is that schoolmasters are the servants of those who appoint them—a painful position possibly, but one not peculiar to schoolmasters; nor, unless Mr. DIXON proposes to make schoolmasters irremovable by School Boards, will such of them as may hereafter exchange dependence on the clergy for dependence on the representatives of the ratepayers have any cause to congratulate themselves. They may no longer be anything between a gravedigger and a parson, but they will not gain much by becoming anything

between a beadle and an Inspector of Nuisances. If they hope to get a larger salary, their calculations are equally faulty. It is not probable that the Education Department will so far interfere with the scholastic labour market as to fix a minimum standard of pay for schoolmasters, and without this a School Board composed of small farmers will hardly pay their teachers better than the clergy have done. Nor is it clear how they would have the means to do so even if they wished it. Mr. DIXON expressly exempts the managers of voluntary schools from the charge of wilfully underpaying schoolmasters, and indeed it must be obvious that in the prospect of an increased Government grant they have a strong inducement to get as good a man for the post as they can command. The reason why the salary of the teacher is too low is that the school fund is insufficient for the burdens laid upon it. But Mr. DIXON can hardly suppose that ratepayers will necessarily be more liberal than voluntary subscribers. The Education Department will have power to prescribe certain necessary outlays, but it will not be able to insist upon a poor and unwilling parish bringing its school up to a level which, as Mr. DIXON sorrowfully admits, has not yet been reached by the most successful schools in England. Whatever force there is in the argument derived from the present insufficiency of school funds tells against the universal substitution of rate-supported for voluntary schools. As Mr. FORSTER said on Tuesday, the parson and the squire "will very often manage schools in a country district more liberally, and make them more efficient, than" would the recalcitrant farmers who are forced to pay the "rate."

There is no need to criticize Mr. RICHARD's speech at any length, because the Nonconformist objections to the Education Act have again and again been considered in this journal. Mr. RICHARD repeats the assertion that to pay Denominational school managers for giving secular instruction is the same thing as subsidizing schools. If so, to buy gas from private gas works set up for the supply of a church would be subsidizing the Establishment. We question, however, whether the most rigid Dissenter would scruple at lighting his shop or his chapel from this source if it happened to be more convenient than manufacturing gas for himself. Mr. RICHARD's general charge, that the Education Act makes use of machinery supplied by the Church of England for the diffusion of elementary education, may be disposed of by the admission that it is true. The machinery was there, and, being there, it would have been folly, and worse than folly, in the authors of the Act not to make use of it. They were bound to take care that this machinery was not abused to purposes of proselytism, and this they believe has been done by a time-table conscience clause. If this precaution can be shown to be insufficient, if it can be proved that children are subjected, directly or indirectly, to religious teaching of which their parents disapprove, and that the Education Act provides no real redress, and no effective means of preventing a recurrence of the evil, then no doubt the machinery supplied by the Church of England must be cast aside. Till then, to rely solely on rates, to the exclusion of an existing denominational zeal, would be deliberately to ignore an auxiliary of immense value.

But little was said on Tuesday as to the feature in the Education Act which is really most open to criticism. The agitation against the 25th clause has thrown into the background the objection against the permission to teach religion in School Board schools. Judging from the small minority which Mr. AUBERON HERBERT found to support him on Thursday in condemning the similar permission contained in the Scotch Education Act, Mr. RICHARD was well advised in passing lightly over this portion of his brief. The doubts we expressed in 1870 upon the working of this provision in the English Act have not been removed by anything that has happened since; but in Scotland, where the voluntary machinery for teaching religion is far less complete than in England, the argument for allowing the community to do so if it chooses, subject to adequate provisions for protecting the rights of minorities, is of course proportionately stronger.

THE TICHBORNE CASE.

THE TICHBORNE Case has come to an end at last, abruptly, but not unexpectedly. It is true that the Claimant was cheered by the crowd outside the Court up to Friday last, but this probably expressed the popular appreciation of the audacity of his persistence rather than faith in his case. The TICHBORNE Bonds never recovered the shock which they received from the ATTORNEY-GENERAL's able and exhaustive speech. A careful examination of the plaintiff's own evidence

showed that he had utterly failed to make good his claim. The burden of proof was upon him, and he broke down under it. It would have been monstrous if the title and estates of an ancient family could have been carried off on such flimsy and insufficient testimony as was offered on his behalf. On Monday the Claimant called a meeting of his backers, which was interrupted by a message that the Jury had suggested that the case should be stopped. As, one by one, his supporters withdrew, he was heard to be repeating, "All will be settled on Wednesday," and on Wednesday night he was lodged in Newgate, on the Judge's warrant for perjury. Whether he is a perjurer or not we will not say. He is unquestionably, as far as the evidence goes, an impostor, but perhaps he is a monomaniac. The mad doctors have another glorious opportunity of vindicating the innocence of crime, and although THOMAS CASTRO is not a murderer, his wickedness is not to be disparaged. His attempt to seize upon the name and estates of the TICHBORNES, and to stab the reputation of at least one of the members of that family in the most cruel and infamous manner, was in its way quite as bad as any murder. Some worthy people seem to have been rather startled, and perhaps shocked, when the ATTORNEY-GENERAL sought out a few strong words in order to describe the Claimant; but it is clear that either he is ROGER TICHBORNE or what Sir JOHN COLERIDGE described him as being; and it had become necessary that this issue should be set forth very plainly and distinctly. In most civil suits there is no villany on either side, but only prejudice or misapprehension; and there is usually a point at which a compromise is possible. But in this instance there was no room for any middle course. A feeling of misplaced sympathy and false tenderness for the Claimant had apparently taken possession even of some of those who did not believe in him; and there was a disposition to give him the benefit of any doubt, whereas justice and common sense alike required that this benefit should go to the other side. We do not mean to say that the jury were subject to this feeling, but it was conspicuous in the remarks which were made on the subject in society; and the ATTORNEY-GENERAL, who had no other means of gauging the sentiments of the jury, was bound to clear it away, if possible. Whether the Claimant took any of his various advisers and backers into his full confidence is a question upon which some light may perhaps be thrown by the criminal proceedings which have now been commenced. It is scarcely possible to doubt that some of his associates must have known, not only that he was quite scoundrel enough to be an impostor, for that of course they all knew after a little while, but that he was actually an impostor. The deception began in 1865, and was maintained for seven years; and if during the whole of that time TOM CASTRO kept his secret to himself, and made everybody else his dupes, he must be a man of preternatural astuteness and strength of mind. In the course of those years the case passed through the hands of several attorneys, who successively threw it up; but as Chief Justice BOVILL remarked, there is no "privilege" to prevent an attorney from exposing the criminal proceedings of a client. Even the seal of the confessional is not recognized to that extent; and if any attorneys labour under a delusion on this point, it is a pity they cannot be undeceived by some sharp process. Knowing a man to be engaged in an abominable fraud, and keeping his secret for him, is, in effect, simply abetting his villany, and either is, or should be, a criminal act.

The most obvious remark which is suggested by this trial is, that the finish of it should naturally have been the beginning. As soon as it was quite certain that ROGER had a number of indelible marks on his body which were not on the body of the Claimant, there was of course an end of the case. If it had been the other way, if the Claimant had been tattooed, and ROGER had not, that would not have been conclusive, although it would have raised a nice question as to the age of the marks, for they might have been put on after ROGER went away. But a man cannot be untattooed, except by a process of burning or scarification which tells its own tale. In the Roman case to which allusion has more than once been made, when an impostor pretended to be QUINTILIUS, the Emperor, knowing that QUINTILIUS spoke Greek fluently, examined the man as to his Greek, and, as he could not speak a word of that language, gave judgment against him. A similar test would have gone against the TICHBORNE Claimant, for French was almost like ROGER's native tongue, and the Claimant does not know a word of the language, and cannot even pronounce the name of ROGER's mother correctly, calling it FELICITE instead of FÉLICITÉ. It is possible, however, for a person utterly to forget a language, as was admitted in this case, although

there was an obvious absurdity in offering, or at least admitting, evidence on such a question. A Polish lady asserted that she had ceased to be able to speak Polish, but no proof was given that she had ever been able to speak it; and besides, if she chose to persist in saying that she could not speak it now, it is difficult to see how the truth as to her knowledge of Polish could be ascertained. Of course the loss of a language is quite possible, but it is highly improbable, especially in ROGER's case; ROGER spoke French perfectly at twenty-four years of age, when he disappeared, and we are asked to believe that he lost not only the words, but the accent, of the language in twelve years. Whatever changes may take place in the mind, manners, speech, or looks of any one, the changes of which the body is susceptible are limited. A man may grow continually fatter, his hair may fade, his expression may alter, but after a certain age he cannot grow taller, nor can his head grow larger, nor can his ears change their shape. Apart from the tattoo marks, the Claimant appears to be an inch or more taller than ROGER; his head is much bigger, so that he can but just get on a helmet which was too loose for ROGER; and his ears are large and pendulous, while ROGER's ears were thin and adhering to the head. If these differences could have been proved at the outset, no amount of curious knowledge on the Claimant's part as to the affairs of the TICHBORNE family, or of evidence as to a general resemblance between him and ROGER, could have affected the conclusion that, whatever likeness there might be, he certainly was not ROGER. When a man asserts that he is a certain person, the first and most natural step in an inquiry as to identity would seem to be to impound his body, ascertain what sort of a man he is, and then compare him with what is known of the person he professes to be. If the Claimant had been ROGER, he would no doubt at the outset have offered himself for examination. Another point which must strike every one in regard to the inquiry is that Mr. HOLMES, Mrs. JURY, and other persons, who could have thrown light on many points, should have been present and should never have been examined. The interposition of a Judge in the management of a case must necessarily be guarded, but it is possible that the English plan of regarding a trial as a game of skill between counsel, with the Judge as umpire, may be carried too far.

However paradoxical it may appear, nothing at first told so much in the Claimant's favour as that he was in several important points utterly unlike ROGER. ROGER spoke French, and he could not. ROGER was thin, and he was a gross mountain of a man, a FALSTAFF, or DANIEL LAMBERT. How, said shallow, superficial people, should a man so very unlike ROGER ever dare to personate him? He must be really ROGER, or he would never have dreamt of such a thing. In the first place, there is no reason to suppose that when he went into the affair he intended to keep up the personation. If anybody is responsible for this imposture it is the crazy old lady whose death was perhaps hastened by a dawning sense of the mischief which her malicious perversity and folly had brought upon her family. The wonder is, not that a ROGER turned up in 1866, but that, as BAIGENT said, there had not been a crop of ROGERS long before. The Dowager offered her own fortune, with the chance of the family estates, as a bid for a pretender. If the Claimant when in Australia formed the impression that she wanted some one to come forward and personate ROGER, and that from spite, self-interest, or some other reason, she would at once identify him no matter what he looked like, he would have been fully justified by the Dowager's letters in coming to that conclusion. In any case he probably imagined that he would get a good sum out of the old lady, and that he could then retire from the affair if he chose. When he fell in with retainers of the family who supported and assisted his case, the chances of a successful imposition drew him gradually further along a path from which there was at last no retreat; it was almost safer to go on than to go back. It is probable that his resemblance to ROGER was closer than the ATTORNEY-GENERAL was disposed to admit. Even the photographs show a certain similarity in the lackadaisical eyes and general expression of the face. The Claimant is in manner and appearance neither such a blackguardly ruffian on the one hand, nor ROGER, on the other, such a pleasant gentleman, as has been assumed. ROGER had some generous instincts and respectable qualities, but he did not produce an agreeable impression on those who knew him. When General CUSTANCE described him as a wretched, unwholesome, dirty-looking little fellow, he was perhaps not far wrong. He had taken to drinking before he left England, and people who allowed for that and for twelve years' knocking about in Australia may be excused if they thought it quite possible that the Claimant

might be him. Nothing can be more absurd than to attribute "gentlemanly demeanour" to CASTRO, as we suppose we must call him; but he has undoubtedly that kind of cleverness which shows itself in ready social assimilation. At Wagga-Wagga he was at first a "very dirty butcher," but he is said to have gradually improved in appearance, and a similar improvement is reported to have taken place since he came to England. The combination of a certain likeness to ROGER in expression with a marked unlikeness in other respects really helped his case. If a thin man exactly like ROGER had appeared, the comparison would have been more rigid and exacting; it was the stoutness which threw observers off their guard, and carried them into the region of imagination, where they could form their own ideas as to what ROGER, after thirteen years of a hard and dissolute life, "among the savages," as the Dowager said, would look like. The manner in which evidence as to identity was got up might have supplied Sir G. C. LEWIS, had he lived, with a supplementary chapter for his book on the influence of authority on the formation of opinion. The process of identification appears to have been pretty much this—that the Claimant identified a number of persons from information about themselves previously pumped out of them by his adherents, and that these persons were then led to suppose that they had identified him. One fool, or dupe, makes many, and when a little knot of witnesses had thus been got together, others were ready to adopt their convictions. One peculiarity of this case has been the application of the principle of limited liability to a speculation in law. It is impossible to suppose that the members of Parliament and others who subscribed funds for the plaintiff merely backed a rogue on the chance of his winning. They must have had the ends of justice in view, and their own feelings will no doubt prompt them to offer a handsome contribution to the expenses of the much-injured heir.

MR. GOLDWIN SMITH ON ENGLISH INSTITUTIONS.

MR. GOLDWIN SMITH is always an eloquent writer, and an article which he has published in the *Fortnightly Review* illustrates the undoubted proposition that anger is the most eloquent of passions. The sustained indignation of his invective against existing English institutions could only have been made more impressive by the introduction of some gradation or variety into his universal censure. An historical scholar, who is also an earnest revolutionary politician, may with perfect sincerity extend to the ancestors or predecessors of the present peers the animosity which is provoked by the Conservative tendencies of the House of Lords; but the ordinary reader has not sufficient imagination or energy to direct his antipathy at the same moment against the courtiers of HENRY VIII. and the aristocrats of the present day. A numerous party which shares Mr. GOLDWIN SMITH's hostility to the Church Establishment will find it difficult to resent the expulsion from the House of Lords of the abbots, "who were elected for life, and sometimes by merit, so that they formed, comparatively speaking, a democratic element." To Mr. GOLDWIN SMITH the peers of the sixteenth century are still hateful as "knaves and sycophants, steeped in public rapine and judicial murder"; and he is shocked because "the lovers of ELIZABETH, one of them notoriously the murderer of his wife, and in every respect a most abandoned scoundrel, were received into a 'temple of honour,' in which 'the men who saved the nation, the DRAKES, and RALEIGHS, and WALSINGHAMS, found no place.' It is perfectly true that LEICESTER was not an exemplary character; but CECIL, who contributed to the task of saving the nation, was certainly not a lover of ELIZABETH, and any miscarriage in the distribution of honours by the TUDOR Sovereigns happened a long time ago. Sympathy with Mr. GOLDWIN SMITH's wrath is almost exhausted before it arrives at the titled capitalists of the present day, who are supposed to be the latest and basest of all the component parts of the peerage. "After a temporary antagonism caused by the Corn Laws, and a certain amount of coy resistance on social grounds, the capitalists have been recognized by the landowners, and in their turn are decking themselves with the titles of feudal barons, ordering Norman pedigrees with their equipages and liveries, doubling the crush and deliquescence at St. James's, and thinking it part of their right as millionaires to make public honour and national government their family property, and to hand them down with the other fruits of successful speculation to their aristocratically educated sons." Ambition may partake of the nature either of virtue or of vice; but if the desire of hereditary rank implies

a wish to convert public honour into family property, any effort to acquire political eminence might with equal justice be stigmatized as an attempt to make public honour and national government a personal property. It may perhaps seem an evasion of the real issue to comment on the want of proportion and reticence which weakens the force of Mr. GOLDWIN SMITH's fierce attack on the House of Lords; but literary criticism, if it is sound, often indicates defects of substance which account for errors or peculiarities of style. Indiscriminate denunciation of an "historical accident" which has made or modified history for several centuries is by its own violence convicted of exaggeration, and at least of partial injustice. There are, in truth, no historical accidents, and the description of any institution as an unaccountable anomaly would be a confession of ignorance.

The object of Mr. GOLDWIN SMITH's essay is to urge upon the party of movement the concentration of their efforts on the destruction of the House of Lords and of the Church Establishment. He is perfectly right in holding that it is a mistake to attack Christianity as well as the Church, and to assail in the first instance the throne, which he regards as the strength and support of oligarchy. With hostility to religion it is evident that Mr. GOLDWIN SMITH has no sympathy; but in recommending the postponement of agitation for a republic, he only points out that, "if you attack the monarchy, you give battle to your opponents on a field of their own choosing." "On this subject true policy seems to point to silence and patience, a patience which will probably not be overtaken when the House of Lords and the Privileged Church are gone." No reasoning can be more candid; but the threatening promise of POLYPHEMUS to ULYSSES can scarcely be described as silence, and patience is perhaps not the most prominent of Mr. GOLDWIN SMITH's controversial qualities. If the fall of the peerage and of the Church involves, as is indeed probable, the destruction of the throne, Mr. GOLDWIN SMITH would seem to be giving battle to his opponents on a field of their own choosing. He can scarcely blame them for profiting in argument by his own voluntary admissions. His own scheme of political and social reform is intelligible and comprehensive. After the abolition of the House of Lords, the Church, and the Crown, the confiscation of the increase of the value of land, and the prohibition or discouragement of hereditary wealth, Mr. GOLDWIN SMITH proposes the election by universal suffrage of local Legislatures, which are in their turn to elect a Central Parliament. The Executive Power is to be vested in a Ministry or Council of State, to be appointed at certain intervals by the Parliament. In this manner he expects by some unexplained process to put an end to government by party. His project differs from the American system by dispensing with the Federal House of Representatives, with the Senates of the several States, and with the President elected by universal suffrage. The proposed Constitution may perhaps be as plausible as any democratic scheme of the same kind; and if it promoted, as Mr. GOLDWIN SMITH anticipates, patriotic feeling and national unity, it would so far be highly beneficial; but the whole fabric of legislation and government is essentially American, in spite of detailed modifications, and an America without an unlimited supply of land is an experiment which has not yet been tried.

The temper in which Mr. GOLDWIN SMITH deals with existing institutions is not calculated to produce implicit confidence in the soundness of his judgment. His assertion that the overthrow of the French Republic by LOUIS NAPOLEON in 1852 was nearly contemporaneous with the Sheffield outrages of 1866 or 1867 shows that indignation tends to confuse chronology. A description of the State Church which would have done credit to the combined genius of JUVENAL and COBBETT deserves to be quoted at length:—"With the House of Lords would go, too, the State Church, the religious organ and the most miserable slave of political reaction, whose political course through TUDOR persecutions of Nonconformists, STUART conspiracies against liberty, English Restoration St. Bartholomews, Scotch Restoration torture chambers, Five Mile Acts, Conventicle Acts, promulgations of passive obedience, temporary rebellions when JAMES and JEFFREYS, instead of merely bathing in the blood of peasants, proceeded to touch Church pence, relapses into passive obedience and conspiracies against liberty as soon as the Church pence were safe, SACHEVEREL High Church riots and burning of meeting-houses, Acts to prevent Dissenters from educating their children carried by the aid of the most Christian BOLINGBROKE, civil wars and foreign invasions of the country instigated by parsons who sat drinking to the PRETENDER in Oxford common rooms while their peasant dupes were agonizing on Culloden Heath,

preachings of American and French wars, deifications of GEORGE III., and support of Government by Prerogative and Catholic exclusion, is certainly the meanest episode in the annals of Christendom, and perhaps as mean as any in the annals of mankind. It is one course of opposition to progress, justice, and humanity—one series of servile alliances with powers of evil, with murderous tyrants, infamous favourites, profligate intriguers, buttresses supporting the Church from without, devout members of the Hellfire Club, practical atheists, and political sharpers down to the present hour." The passage is a masterpiece of vituperative rhetoric, and the reference to one class of supposed allies of the Church will be recognized as the private mark of the master. The defect of this kind of composition is that it is equally applicable to any party or cause. A Tory with Mr. GOLDWIN SMITH's command of passionate language could compose an effective supplement to the *Anti-Jacobin* in denunciation of Liberalism or Dissent. It would be as easy to assert that Fox perpetrated the September massacre as to state that the Highland Jacobite clans were the dupes of Oxford parsons; "Restoration St. Bartholomews" would have been in the highest degree censurable if only they had occurred. Like all sweeping satirists Mr. GOLDWIN SMITH excludes from consideration the virtues and the services of the objects of his animosity. The obscure and ill-paid toil of a laborious and beneficent clergy in towns and country districts, the civilization which is maintained and propagated by their efforts and example and by the efforts and example of their families, is entirely forgotten by their angry and contemptuous censor. In its corporate capacity the clerical body is perhaps narrow and timid, but it now exercises little political or collective power. It is in the parishes of England that the justification of the English Establishment is to be found, and it is everywhere but in the region in which the Church really exists that reformers go to look for it. The experience of other countries shows that it is not easy to constitute a body of clergy who shall be gentlemen before they are priests. Mr. GOLDWIN SMITH truly asserts that many Ritualists are disaffected to the Establishment, but he can scarcely sympathize with their tendencies or their motives.

The political revolution which Mr. GOLDWIN SMITH proposes would have the designed result of subverting the present system of society. Whether it would promote national unity is at least doubtful. Many of the changes which he advocates have been long since effected in France, which is nevertheless distracted by the endless struggles of irreconcilable factions. There is in France no House of Lords; and there is a peasant clergy which, if it were deprived of its meagre pittance from the State, would become, if possible, more abjectly devoted than at present to an extranational allegiance. The land is held by peasants in small portions, the artisans possess the right of universal suffrage; and both classes are inveterately hostile to all whom they suppose to be possessed of wealth or privilege. The worship of equality is not accompanied by love of freedom; and, in the absence of any other kind of superiority, the agents of the Government of the day exercise almost undisputed power. In Spain also universal suffrage has created a Government of military and Parliamentary adventurers who supplant each other incessantly in office. The gravest statesmen of the Continent habitually speak with admiring envy of those institutions which inspire Mr. GOLDWIN SMITH with unqualified hatred. That such a man should propound such doctrines with declamatory and intolerant vehemence is undoubtedly a proof of the insecurity of the English Constitution, but not of its inherent unsoundness.

FRANCE.

FORTUNE has dealt a blow at M. THIERS from an unexpected quarter. He has had his share of troubles since the day when he accepted the task of reorganizing France; but amidst all his cares he has hitherto been happy in his Finance Minister. M. PUYER-QUERET had unusual qualifications for the post he has just resigned. He is a man of ability, so much so indeed as to have extracted a special compliment from the German Government, which has had ample means of testing his qualifications. He is a Protectionist, and as the policy of France will probably be Protectionist so long as M. THIERS is President, no matter who may be the Finance Minister, it is perhaps as well that the officer who has to construct the Budgets should be a believer in the principle which underlies them. And, notwithstanding these claims to con-

sideration, he has always been willing to give the PRESIDENT the first place in every financial debate, and to see his own proposals altered or abandoned whenever it suited M. THIERS's purpose. It is no wonder that M. THIERS has clung fondly to such a real treasure among Ministers. Yet even his zeal in support of convenient friends has been worn out by the part which M. POUYER-QUERTIER has taken in the trial of M. JANVIER DE LA MOTTE. M. THIERS is too old a servant of the State to be very much shocked at any disclosures as to the misappropriation of Government money. But M. JANVIER DE LA MOTTE's case was peculiarly flagrant, and the present is a peculiarly inconvenient time for the Government to be committed to anything which looks like condonation of the Empire. M. THIERS has all but quarrelled with the Right, and the Left is hotly opposed to corruption, not so much perhaps because it is corruption as because it was especially prevalent under NAPOLEON III.; consequently the Left, which is all that M. THIERS now has to lean on, would have been sure to attack the Government if it had sheltered an Imperialist prefect, and M. POUYER-QUERTIER did everything in his power to shelter M. JANVIER DE LA MOTTE. From his own point of view, it was scarcely more than an act of simple justice to do so. M. POUYER-QUERTIER is evidently a believer in the leading principle of Imperialist finance. That principle may be succinctly described as the provision of secret service money under other names. Budgets had to be constructed in such a way as to be popular, and popularity could only be secured by the excision of disagreeable items. But under the Second Empire the necessities represented by these disagreeable items had to be met in one way or another. NAPOLEON III. could not be allowed to make a progress through his dominions without spontaneous exhibitions of devotion, and during the later years of his reign spontaneous loyalty was a very costly product. It was impossible to allow money paid for cheers or addresses to figure in the Prefect's accounts under their proper titles. Yet, as the money had to be got out of the taxpayers by one pretence or another, there was no choice but to manufacture fictitious creditors, or to exaggerate the claims of real creditors. M. JANVIER DE LA MOTTE only did what every Imperial agent, from the highest to the lowest, was doing in his proper sphere. M. POUYER-QUERTIER is not an Imperialist agent; but he appears to recognize in these devices the common practice of all Governments. The immaculate Republic has the same wants as the anything but immaculate Empire, and they must be met in the same way. M. POUYER-QUERTIER's indignation at the unjust persecution to which M. JANVIER DE LA MOTTE has been subjected seems to have carried him beyond all regard for Ministerial decorum. He was not content with testifying to such facts as he supposed to be favourable to the accused, nor even with declaring that all that had been done was within the limits of allowable financial manœuvring. He denounced the MINISTER OF JUSTICE for instituting the prosecution, and the Judge for entertaining it, and erected the Ministry of Finance into a universal protectorate of financial scandals. It was clear that after this M. THIERS must consent to lose either M. POUYER-QUERTIER or M. DUFAURE. If the consent of the Minister of Finance is to be required before a defaulting prefect can be brought to trial, and that Minister avows that to obtain money for one purpose and spend it on another for which it never could have been obtained is a perfectly legitimate proceeding, the custody of the seals would become something worse than a sinecure. For a short time, indeed, it was thought possible that the acquittal of M. JANVIER DE LA MOTTE would have enabled M. POUYER-QUERTIER to hold his own against his colleague. But such a solution of the difficulty would have plunged M. THIERS into dangers out of which even his tact and energy would have found it hard to open a way. The corruption of the Empire has been the favourite text of the Republican Opposition for years past, and they could not, with any consistency, support a President who by the mouth of his Minister of Finance declared this corruption to be normal and necessary. The Right might not have disliked to see the Republic identify itself with the Empire as regards its financial morality, but it would certainly have turned the incident to account at some future time. Even the proved Protectionist convictions of M. POUYER-QUERTIER could not weigh down such drawbacks as these. His resignation was accepted, if not demanded, and the graver interests that have lately occupied the Assembly have been put aside for the pleasanter excitement of a Ministerial crisis.

Even before M. POUYER-QUERTIER's appearance at Rouen there were signs that the quarrel between the Government and the majority in the Assembly was cooling down. The combatants are too necessary to one another to allow the con-

flict to be carried on *à outrance*. The last thing the monarchical party can wish is to have the embarrassment of governing France suddenly thrown on its hands. The last thing that M. THIERS can wish is to have to govern France without the aid of that Conservative feeling which alone enables him to keep the Left in check, and to invest his administration with the steady and business-like aspect dear to capitalists and creditors. It seems to be understood that if M. THIERS accepts the modifications which have been introduced into M. LEFRANC's Press Bill by the Committee of the Assembly, and abstains from any attempt to give the Republic a more permanent character, nothing more will be heard of the monarchical Manifesto, or the Letter of Adhesion. M. THIERS is probably a genuine believer in the essentially provisional character of a Government which was created to treat with an enemy in possession for the liberation of its own territory, and his desire to hurry forward the definitive proclamation of the Republic will not survive the corresponding anxiety on the part of the Right to hurry forward the definitive proclamation of the monarchy. The events of the last few weeks must have convinced the more rational members of the Right that they made a false move in abandoning their attitude of reserve. Some of them may now regret that they did not adopt a bolder policy a year ago, and identify the return of peace with the restoration of the Monarchy. But granting that it would have been wise to make the attempt then—a concession in which an unbiased observer will hardly concur—it does not follow that it would be wise to make it now. The monarchical sentiment may have been stronger in France in 1871 than it was in 1872, but as the tide was not taken at its flood, the more prudent course is to wait till the ebb is past. In France there is always a fair chance that the Government for the time being will do something to discredit itself, and delay has, as regards the monarchists, the further advantage that one serious hindrance to their success may be taken out of the way before the time for action arrives. The Count of CHAMBORD may die or abdicate, and either of these events would be an inestimable advantage to the cause which he represents. The ethics of assassination have not yet sanctioned the removal of a prince by his partisans on the ground of impracticability; but there is a bare possibility that the Count of CHAMBORD, who seems to share with PRUS IX. the advantage of having a profound faith in his own pretensions, may be convinced that the cause of Divine Right may be better promoted by having the prince next in succession on the throne than by keeping the prince in possession an exile.

Meanwhile, amidst embarrassments of every kind, France keeps true to her determination to pay off the Germans at the earliest possible date. A further instalment of the indemnity has been forthcoming nearly two months before the appointed time, and perhaps nothing but the feeling of the Government that an immediate emancipation from the burden might not in the present state of France prove an unmixed good, prevents the later stages of the process from following each other with yet greater rapidity. But a patriotic Frenchman, eager as he may be to see his country freed from the disgrace of foreign occupation, may still remember that the term of the indemnity is also the term of the Provisional Government. When the obligation to the foreigner has been discharged, a constitutional settlement can hardly be put off. A longer delay may perhaps be useful in helping the majority of the nation to know their own minds.

MR. LOWE AND THE INCOME-TAX DEPUTATION.

MR. LOWE is perhaps as zealous an economist as Mr. BRIGHT; but, not being yet relieved from the responsibilities of office, he cannot deal so summarily with the proposal for mutilating the Income-tax. Three years ago Mr. BRIGHT was a member of a Government which obtained from the House of Commons a revenue of nearly seventy millions, but he now recurs to his former opinion that no Government ought to be tolerated which cannot do its work cheaper. Seventy millions is undoubtedly a large sum; but general propositions about the expenditure required by the necessities of the country are simply worthless. About two-fifths of the total outlay is appropriated to the payment of interest on the Debt; and certainly Mr. BRIGHT would not approve of any attempt to tamper with the national credit. Some politicians are of opinion that efforts ought to be made for the reduction of the Debt; but there are no funds by which the operation could be effected, unless a surplus income is provided by taxation. It is universally admitted that the cost of administration necessarily increases as the activity of Government extends into new departments; and the augmentation of prices and

wages which is principally due to large importations of gold makes every public and private operation more expensive. Mr. BRIGHT would probably confine his plans of retrenchment chiefly or wholly to the military and naval establishments; but, if he had been in office during the last Session, he would have supported the Bill for the abolition of purchase, which will ultimately cost several millions. The scale of the national defences must be determined by other considerations than those of their absolute cost. The country is rich enough to maintain whatever force may be required for its safety and welfare; and if its wealth were quadrupled, it ought not to pay for a superfluous ship or regiment. Mr. BRIGHT's answer to the deputation which requested him to oppose the Income-tax had the not inconsiderable merit of evading a troublesome and unseasonable discussion. In anything which could be said against the tax he was perfectly willing to concur; but his economical doctrines were equally applicable to any other tax; and he specially included in his condemnation the duties on tea, sugar, and coffee. It was not to be expected that the author of the phrase of "a free breakfast-table" would modify the opinions which he has often expressed. Even if the expenditure were reduced by two millions, the majority of Mr. BRIGHT's political allies would probably insist on the maintenance of the Income-tax as an important source of revenue, although some of them might endeavour to render its incidence more partial and unequal.

The deputation which waited on Mr. LOWE on Wednesday professed to recommend the abolition of Schedule D, or of the tax on the profits of trades and professions; but several of the speakers, with more regard to justice, proposed that the Income-tax itself should be removed; and one of them, who as a Birmingham alderman must be a constituent of Mr. BRIGHT's, censured the Government for lifting taxation from the working classes and laying it on the shoulders of the middle-classes. Colonel BARTELOT, whose speech is not reported, must as a county member and landed proprietor have found himself in unaccustomed company; nor can it be supposed that he desired to exempt traders and professional men from the tax at the expense of landowners and farmers. If Colonel BARTELOT renews in the present Session his annual motion for the repeal of the Malt-tax, he will furnish an additional argument against the proposal of the recent deputation. Mr. LOWE's answer was straightforward and candid, and, as might have been expected, it was not encouraging. Unlike Mr. BRIGHT, the CHANCELLOR of the EXCHEQUER, who scrutinizes every item of the national expenditure, sees little possibility of retrenchment; and though he dislikes the Income-tax, he considers that it must stand or fall as a whole. He reminded the deputation that the alternative taxes which might be suggested were the same which have in recent years been abolished to the general satisfaction. "There were the duties on fire insurance, soap, beer, glass, windows, and other things"; but he reasonably took it for granted that any such imposts would be thought more objectionable than the Income-tax. Some part of the present agitation must be attributed to the injudicious zeal of those who assess the Income-tax. Mr. LOWE declined to make himself responsible for the acts of the independent local Commissioners, and he intimated his willingness to undertake the assessment and collection of the tax through the officers of the revenue. The change would be a great improvement on the present practice, and there seems no reason why Mr. LOWE should not introduce a Bill for the purpose. One of the arguments by which he justified the maintenance of Schedule D was perhaps too subtle to be appreciated by his audience. If the origin rather than the receipt of income is taken into consideration, the abolition of Schedule D would, according to Mr. LOWE, involve the exemption of the fundholders, who contribute 700,000*l.* to the tax. The Loan Acts contained clauses to the effect that the fundholders shall not be liable to any Parliamentary tax whatever, but Sir ROBERT PEEL invented a distinction, described by Mr. LOWE as metaphysical, between the origin of the income and the actual receipt. The fundholder is taxed, not in his special capacity, but as the recipient of income which the State declines to trace to its source, though it intercepts it at the Bank of England. If there were no stronger reason against the abolition of Schedule D, it would be competent to Parliament to open its eyes in one case and to shut them in another; nor would it be difficult to contend that the exemption of profits was justified by some other pretext than an investigation of their source. The fundholders are not in a position to declare that, in Mr. LOWE's words, they will not pay a single penny.

The real objection to the removal of the tax on earnings and profits is that an undue privilege would be arbitrarily

conferred on a large part of the wealth of the country. If Schedule D produces 3,000,000*l.* it follows that the income which it affects must be at least 120,000,000*l.*; and, with due allowance for imperfect returns, the amount may be confidently estimated at more than 150,000,000*l.* No sound economist has at any time admitted that, as long as a tax is placed on any kind of income, this vast amount should be capriciously exempted from contribution. The Income Tax Association itself makes an exemption, to the detriment of shareholders in Joint-stock Companies, although they are traders in precisely the same sense as private speculators who pursue similar branches of industry. Mr. HUBBARD formerly attempted to claim exemption for private traders, on the ground of their personal exertions; but every firm must be managed either by proprietors or by paid agents; and if the owner of the business thinks fit to perform the duty which he might devolve on a deputy, the amount which he saves is as fairly liable to taxation as the salary which a substitute would receive. A far more plausible pretext for exemption is founded on the uncertainty or short duration of commercial, and much more of professional, incomes; but the apparent inequality is effectually corrected by the co-extensive existence of the tax and of the income on which it is levied. A pound of income enjoyed for ever pays a perpetual annuity of sixpence, which may be capitalized into a charge of fifteen or sixteen shillings. A pound of income enjoyed for three years at the same rate pays first and last no more than eighteen-pence. It must be allowed that the calculation is deranged by changes in the percentage of the tax, and for that reason a judicious financier will abstain from raising the rate to cover temporary demands. The whole amount of income which is taxed under Schedule D is not less permanent than interest or rent; and any of the great professions, taken separately, produces a perpetual revenue which, together with the tax, is distributed among successive practitioners. It is not the business of financiers to assume the functions of a petty Providence by correcting the inequalities of fortune. The owners of property are richer than those who earn an equal income in exactly the same proportion before and after the payment of a uniform tax on both heads of revenue. It is true, that as a general rule, taxes are more burdensome to the poor than to the rich; but the same comparative disadvantage attaches to all their pecuniary relations. A capitalist may be better able than a lawyer or a doctor to spare sixpence in the pound of his income; but he can also afford better to pay his butcher or his wine merchant. Mr. LOWE or his predecessors merely take things as they find them, without attempting to reform the world.

It is highly improbable that at any future time the recipients of income will be exempted from a special and direct contribution to the national revenue. Free breakfast-tables, or the open ports which attract the fancy of sanguine politicians, imply the imposition or maintenance of a charge upon incomes; and although it is possible that future Parliaments may establish an arbitrary distinction, the property which is the endowment of traders and professional men ought to be taxed at the same rate as the residue which is enjoyed by sinecure owners. The practical inference from the discontent which has lately revived among a portion of the industrial classes is that the assessment should be managed with all possible regard to the feelings of the taxpayer, and that the CHANCELLOR of the EXCHEQUER should, if possible, keep the percentage low. Little was heard of the pressure of the tax as long as it was limited to fourpence in the pound; and Mr. LOWE may thank his own second or third thoughts as to last year's Budget for the pleasure of his interview with the recent deputation. It is satisfactory to observe that the Government has profited by the criticisms which were provoked by its imposition of the cost of abolishing purchase on the payers of Income-tax. Mr. CARDWELL announces that the three and a half millions which he requires for district barracks are to be raised by terminable annuities; and, although a simple loan might have been preferable in principle, the provision of capital to meet a charge properly belonging to capital account is a laudable innovation or return to sound practice. If it is found practicable in the present year to make any remission, Mr. LOWE could not employ a surplus better than in the removal of the twopence added last year to the Income-tax.

LEGAL EDUCATION.

ALTHOUGH Sir ROUNDELL PALMER's Resolutions for establishing a School of Law were rejected by a small majority in the House of Commons, the movement of which

he has assumed the leadership is sure to be in one form or other a successful one. The question whether it is desirable that barristers and solicitors should be educated together has been left in abeyance, and an opportunity has been given to the Inns of Court to supersede the necessity of a new school of law by improving the school of law which they have now in existence. But already the main point, that of compulsory examination for all persons wishing to become barristers, has been secured, and the SOLICITOR-GENERAL announced on behalf of the Inns of Court that they were ready to deal with the whole subject of legal education in the most wide and liberal manner possible. If they carry out their present intentions in a satisfactory manner, there really is nothing more to be done. They have ample funds, and they are under the guidance of men who know what legal education ought to mean and what is the best mode of providing it. Their action is infinitely preferable to that of a new body less independent and more liable to be acted on by the influence of the Government of the day or by the currents of unenlightened popular opinion. But, as those who spoke for them in the House frankly owned, their present resolve to make their system of legal education worthy of them has been in a great measure the fruit of the movement set on foot by Sir ROUNDELL PALMER and his friends; and, if they succeed, Sir ROUNDELL PALMER will have succeeded also. It may now be assumed that the Inns of Court will endeavour to set up as good a school of law as they can devise; and the only points to be considered are what is the best school of law that can be set up, and what would be the general effects of an improved system of legal education.

The Inns of Court have had for many years what may be termed a school of law. They have had a body of readers who have given public lectures and held private classes; and studentships and exhibitions have been freely given to successful students. But the success of the system has been impeded by the absence of any necessity to pass an examination being imposed on those who wished to be called to the Bar, and by the existence of a belief, shared by many of the most eminent men at the Bar, that men who wanted to learn as much as they could while students rather lost than gained time by availing themselves of professorial teaching. Still the system has done a very great deal of good. It has been under the superintendence, first, of Lord WESTBURY, and then of Sir EDWARD RYAN, and their superintendence has been exercised with much care and practical wisdom. They have secured an ample amount of private teaching in the details of various branches of the law, while they have allowed the readers perfect liberty in the choice and range of the subjects of the public lectures; thus permitting a teacher interested in his subject to be always moving forward, and to give to his lectures at least that merit of being full of novelty and freshness to himself, the absence of which must make all public teaching unutterably dull to hearers of every age and class. The students who attend need not attend unless they like, but they attend in very considerable numbers, and show by the interest they take, and by the kindly understanding they preserve with the lecturer, that they are getting what they consider worth having. It must be remembered that legal students consist of very different sorts of persons, and there is one large class to whom the education provided by the Inns of Court is of great value, and it is a class for whom the Inns of Court are bound to take thought with peculiar care. We make all who wish to practise at the Bar in very various parts of the British Empire come here to be called. If a Hindoo wishes to practise as a barrister at Calcutta, if a Frenchman wishes to practise at Mauritius, or a Dutchman to practise at the Cape, they must all come and be called in England. But these are only extreme samples of a class. There are a great many persons who wish to be called who do not go to any University, and they feel in a great degree what those coming from remote dependencies feel in a still greater degree—the advantage of having a centre of legal instruction, something to do that they must do, some one to address whose business it is to advise and aid them, and the pleasure of learning what they must learn under the guidance of a teacher who knows what they have got to know, who can appreciate their difficulties, and who cheers them by constantly inspiring the thought that what seems dull and uninteresting to them is of perpetual and unmistakable interest to a person who is further advanced in the subject than they are.

The Inns of Court, however, cannot possibly supply more than one school of law out of many. Different Universities and colleges are all engaged in teaching law with great

success and assiduity. At Oxford and Cambridge law is taught under advantages which the Inns of Court can scarcely rival, for a certain number of fellowships are already given to men eminent in Law and History, and the number is likely to be increased. These are prizes far beyond any that the Inns of Court can offer. Those, too, who have been sent to a University would, for various reasons, after they have made up their minds to go to the Bar, rather study law at their University than elsewhere, and so they often come up to London having little to learn from a school of law. All the professorial teaching and all the teaching that any school of law can give to students is only preparatory to the real learning of their business. They must go into the chambers of working lawyers and attend courts of law assiduously in order to learn that for which they hope to get paid in after life. All study in the way of reading text-books and attending lectures is only preparatory to the learning that teaches a man how to be useful to a client. But the difference between going into chambers or courts, according as a man has or has not previously made himself master of some of the general principles of law, is enormous. Thousands of pounds are every year wasted in fees for permission to attend chambers by those who do not know enough beforehand to understand what is going on there. The primary function of the Inns of Court as a school of law is to provide for those not trained at Universities that preparatory education which is or may be provided at Universities. The SOLICITOR-GENERAL announced that the Inns of Court are going to get the very best instruction that money can buy; but, although it is of the first importance to get the very best instruction possible, yet in any case the main work of the school of law established by the Inns of Court must be to give, in common with other schools of law, the best preparatory instruction it can to those who, thus qualified, will be able to make good use of practical training. The number of men who have gone through this preparatory instruction and who will leave their practical training to come and hear lectures must necessarily be exceedingly small. A man who has mastered the general principles of Equity under a system of preparatory instruction, and is at work in chambers learning practice from a leading junior to whom he has paid a hundred guineas, will not cut up an afternoon by going to hear a public lecture on the principles of Equity delivered by the ablest lecturer the Inns of Court could select. It is, however, possible that the Inns of Court might enter usefully on a field which would have attractions even for those who have gone through sufficient preparatory instruction. This is the field of what is known in France as "Comparative Legislation." Those who have mastered some of the general principles of English law, and know something also of Roman law, would probably think it worth while to pursue, under competent guidance, the interesting questions raised by a discussion of the various modes in which the same legal problems have been solved or encountered in different ages and in different countries.

The uses of legal education are, up to a certain point, very obvious. It is an excellent thing that an examination should stand in the way of those who are utterly incompetent, and who yet may hold important public appointments simply because they are barristers. It is only right that men of different nationalities, brought here whether they like it or not to pass a long time in England before they are called, should have a public body to welcome, guide, and instruct them. It is a great gain to the more advanced and zealous students that they should begin the practical training for their profession only after they have learnt a good deal from books and lectures. But the question may be asked, and was discussed in the House of Commons, what further good legal education would do; and the point raised for assertion and negation was, that a higher legal education would make English law more scientific. It is not very easy to see what is meant by this. It seems more true and simple to say that a good legal education would lead to those improvements of the law which come, in one way or other, from lawyers being able to look at law in different aspects. Legal education may in one sense be easily too scientific. It may go too far into the minutiae of Roman law; it may be too much a reproduction of the thoughts and mannerisms of foreign jurists. One of the most disheartening facts of legal education is that what is called scientific law, limited as it is in quantity, is seldom written in intelligible English. What is wanted is that the scientific lawyer should take hold of the principles, not the minute details, of Roman law, or the principles set forth in the works of foreign jurists, and should ask himself what in plain English, technical terms apart, these principles come to; and he will in a very large

number of instances find that his familiar English law embodies the same principles. This process of discovery, accompanied, of course, by the parallel process of discovering where English law has not the same principles embodied in it, and why it has not, is perhaps what is properly meant by the scientific study of English law, and no doubt it is a useful process. But the law itself will be improved principally by the improvement of the profession, which determines its character and a large portion of its contents. Legal education can do much towards such an improvement. It can make a lawyer know various branches of law in a general way, and one great obstacle in the way of the improvement of the law has been that Chancery men know nothing but Equity, Common lawyers nothing but the Common Law, and so forth. Legal education, too, if good, can teach lawyers the habit of setting out from principles, and considering how they apply to the facts before them, before reference is made to precedents. The judgment of a great judge always reads as if it were nothing but the perfection of common sense, sharpened by experience and knowledge; and legal education can do something towards making lawyers generally think in a humble way as great lawyers have thought in an eminent way. Whether codification is or is not likely to be a fruit of the improvement of English legal education is a doubtful point, and one perhaps not very important at present. In any case, before either the form or substance of English law receives any great change, there is a preliminary task to be accomplished—that of making lawyers have an idea of law as a whole, a habit of being guided by principles, and a perception of what are the main problems of law, together with some knowledge of how these problems have under various systems been practically solved. When this preliminary work has been accomplished, it will be time enough to talk about a code.

THE STORY OF THE TICHBORNE CASE.

THE Claimant in the Tichborne case has submitted to a non-suit in his action against the Tichborne family, and although he is technically at liberty to reopen the question on payment of the expenses of the suit just closed, the intimation of the jury that they had heard sufficient evidence practically amounts to a verdict against him. The testimony produced during a protracted trial of 123 days would fill a moderate-sized library, but we will endeavour to compress it into a brief and connected narrative, with a view to illustrate the origin and development of what appears to be one of the most daring and extraordinary impostures which have ever been brought to light.

First, there is what a dramatist would call the prologue of the play. The Tichbornes are an old and distinguished family. If you turn to any guide-book of Hampshire you will find that Tichborne Park is supposed to have been in the hands of Tichbornes from before the Conquest; the baronetcy dates from the reign of James I. The estates are valued at some 24,000*l.* a year, though at present heavily mortgaged. In 1854 Sir Edward, who had added the name of Doughty to that of Tichborne, was still alive; but he had no son, and Mr. James Tichborne was his heir. Mr. James Tichborne had married a daughter of Mr. Seymour, who had been born and brought up in France, and who was essentially a Frenchwoman. The marriage was not a very happy one. Mr. Tichborne was apparently a warm-hearted, generous man, but violent in temper; his wife was flighty and eccentric, and inspired by a feeling of intense suspicion and hostility towards her husband's family. Their eldest son, Roger, inherited some of the peculiarities of both parents. He was shy, whimsical, and impulsive, of weak character and moderate intelligence; he had been educated in a loose, patchwork kind of way—first under French tutors, then for three years with the Jesuits at Stonyhurst; and afterwards he had been for three years in the army. In appearance he was slight and somewhat insignificant. Without being a student, he was fond of reading, and had a good stock of general information. His letters show that, when travelling, he liked to look up the history of any place he visited. He spoke French better than English, but he wrote a very fair English letter, and had some knowledge of Latin and natural science. Stonyhurst probably did a good deal to polish him up; but his broken English and certain oddities of manner exposed him to some ridicule when he joined his regiment, the Carabiniers. He was a tempting subject for little jokes, which were sometimes carried too far; but, on the whole, he seems to have been pronounced a good fellow by his companions, and to have passed muster as an efficient, though not a smart, officer. When stationed with his regiment in Ireland, and also during his visits to England, he went a good deal into society, and knew how to bear himself like a gentleman. The domestic storms amid which he had been brought up had left a painful impression on his mind, and he was more at home at his uncle's, with Lady Doughty and his cousin Kate, than with his own parents. He was, after his father, the next heir to the baronetcy, and Sir Edward took a paternal interest in him; but when it was discovered that the cousinly regard between

Roger and his daughter was passing into something deeper—at least on Roger's part—Sir Edward strongly discouraged it. He objected to the marriage of cousins, and besides, Roger's character was not yet quite settled enough for him to have full confidence in it. He was young, and certain bad habits, such as drinking too much, might pass away or might be confirmed. It was arranged after a time that if at the end of a year or two there were no other objections to a marriage, that of consanguinity should not be pressed. Sir Edward and Lady Doughty showed the utmost affection for their nephew, yet he could not but feel that, even though they might consent to the match, they would prefer that it should not take place. It was under the influence of this disappointment that he threw up his commission and resolved to visit South America. He parted on good terms with all the family, wrote to his mother, aunts, and other friends from different points on his journey, and pressed them to write in reply. He looked forward to returning after a year or two, and desired to have his name put up at the Travellers' Club. He had arrived at Valparaiso in June 1853, had made an expedition to the Cordilleras, and visited Santiago, Buenos Ayres, and other places. From Buenos Ayres he wrote on February 20, 1854, to an intimate friend, Vincent Gosford, still harping on Kate Doughty, deploring the discord in his own home, and congratulating himself on being out of the way for a time now that Sir Edward was dead and that his father had succeeded him. Except for his fears of his cousin's marriage, he wrote in good spirits, and as if enjoying the independence and variety of his life abroad. On March 12 he wrote to Lady Doughty from Monte Video in a similar strain. He was going to Rio, thence up the Amazon, and then to Jamaica and Mexico. He was most anxious for letters, and gave repeated directions where they were to be addressed to him. On April 20 he embarked at Rio in the *Bella* for New York. Six days afterwards a long-boat, bottom upwards, marked on the stern, in yellow letters, "*Bella*, of Liverpool," was picked up at sea by a passing vessel, which also, near the same place, fell in with some broken spars, a round-house, and some straw bedding. The owners of the *Bella* had no doubt that she was lost, with all on board; the underwriters paid the insurance; Roger Tichborne's will was duly proved, and on his father's death, the inheritance passed to his younger brother, Alfred, who also dying in the beginning of 1866, left a posthumous son to enjoy the baronetcy and estates.

Years had passed over without anything occurring to disturb the belief that Roger had perished in the *Bella*. The Dowager, Roger's mother, was the only person who refused to accept this conclusion. She had, as she said, "a settled presentiment" that he must somehow have been saved, and that she should see him again. She was constantly talking of him, and even started inquiries about him in Australia. Once she questioned a sailor who came begging to Tichborne Park, and who was ready enough to say that he had been in Australia, and had heard of the crew of a ship having been picked up at sea and brought to Melbourne, and that he rather thought the name of the ship was the *Bella*. After her husband's death she became more anxious and excited on the subject. She advertised for Roger, or for any information as to the crew of the *Bella*, in the *Times* and in various Australian and colonial papers. It became a kind of standing joke in the servants' hall, and among the people round Tichborne Park. More than once there was a report that Roger had been found, but nothing ever came of it. She began advertising at least as early as 1863. The advertisements caused a good deal of talk, of course; they were copied into many papers, and gave rise to innumerable paragraphs. In 1865 the Dowager had got into communication with Mr. Cubitt, who had a Missing Friends' Agency in Sydney, and who readily undertook to find the missing man if he was to be found at all. He advertised on his own account in the Australian papers, giving the Dowager's description, only somehow leaving out the word "thin." By a remarkable coincidence, he had no sooner taken the job in hand than an old friend of his at Wagga-Wagga wrote to say that he had "spotted" the man; and immediately the Claimant appears upon the stage. Mr. Gibbs, Cubitt's correspondent at Wagga-Wagga, had there made the acquaintance of a slaughterman who went by the name of Tom Castro, and whose pipe he one day observed bore the initials, scratched on it with a knife, "R. C. T." Mrs. Gibbs had previously called her husband's attention to the advertisements for Roger Charles Tichborne, and Gibbs at once put the two things together. Castro had about the same time been in the habit of cutting the same initials on mantel-pieces and every bit of wood that came in his way. He, too, had previously seen one of the advertisements. A Hampshire man had shown it to him, and may possibly have added some remarks of his own, either as to the old Dowager's notorious craziness on this subject, or as to Castro's likeness in expression or feature to the missing Roger. Castro, having placarded his initials in this conspicuous manner, affected to be very much annoyed that Gibbs should have "spotted" him, but allowed himself to be persuaded that he had better surrender his secret and go back to his mother. It is clear from the correspondence which has been produced in this case that the Dowager communicated a good deal of information about Roger to Cubitt, through whom it may have reached Castro, and also that Castro at first went altogether astray in his demonstration of his identity with Roger. To convince the Dowager, he mentioned two circumstances known only to her and to himself—"the brown mark on my side, and the card case at Brighton." But, as it happened, the brown mark was Castro's exclusive property, Roger never

having had anything like it; and as for the card case—referring apparently to a well-known trial for cheating at cards, with which Roger had nothing whatever to do—the Dowager entreates that nothing more may be said about it, as it would turn every one against him. In another letter he asked after Roger's grandfather, who died before he was born. He also said that he had been educated by the Jesuits in Paris, instead of Stonhurst, and that he had been a private in the Guards for a fortnight. The correspondence shows that the Dowager was constantly pointing out mistakes of this kind; and yet that she was at the same time determined to accept Castro as her son. "You do not tell anything at all about my son," she wrote to Cubitt, "and I hardly know anything at all about the person you suppose to be my son"; yet in the same envelope she encloses a letter to the supposed son, taking him to her heart as her "dearest and beloved Roger," and begging him to come to her. While he is making up his mind, not without much hesitation, whether he should accept her invitation, it may be worth while to observe what sort of reputation, as appears from the evidence taken by the Australian Commission, Tom Castro at this period enjoyed among those who knew him.

He had been for some time at Wagga-Wagga, and was allowed to be a good slaughterman. He was fond of "blowing" or boasting about himself, declaring at one time that his mother was a duchess, and at another time that he was a peer of the realm. Occasionally men came to Wagga-Wagga who had known Castro in other parts. It appears that he had led a wandering and uneasy life, alternating between stock-riding, butchering, and horse-stealing. In Gippeland "he had bought some horses that turned out to be stolen, and he was afraid he could not find the party he bought them of." At Reedy Creek he got into another scrape with horses. Down to this time he was known as Arthur Orton, but he appeared at Wagga-Wagga as Castro. Two of his mates had been hanged; another had been shot by the police; "Ballarat Harry" had been murdered by a friend of his own and Castro's after spending an evening with the latter. A lady, satirically called "Gentle Annie," was also a member of this agreeable society, and lived with Castro before he married. Before 1859 he went by the name of Arthur Orton, Arthur the Butcher, or Big Arthur, and afterwards as Thomas Castro, with a short interval when he borrowed Morgan's name. These circumstances were partially known at Wagga-Wagga, and Castro was naturally annoyed when allusion was made to them. In 1865 his bragging about his family appears to have become more definite and systematic, and he began writing and cutting out the initials "R. O. T." At the time he fell in with Gibbs he was very hard pushed for money. While the Dowager was writing over about the 15,000*l.* a year awaiting her son in England, Castro was begging for a few shillings to save him from destitution. Roger had left a good balance at Glyn's and credit at another house, but Castro could think of no means of procuring a little money except by abject appeals to Gibbs's compassion. If Gibbs could not give him money, would he at least speak to one of the storekeepers to let him have necessities for the house? "I expect," he says, "Mrs. Castro to be confined before Saturday. And believe me Sir I am more like a Manick than a B of B K to think that I should have a child born in such a hovel."

Notwithstanding his desperate circumstances, Castro was in no hurry to accept the Dowager's pressing invitations to help himself to 15,000*l.* a year down, with half as much again in reversion. It was clear from her letters that she was determined to be convinced that he was her son, and that his absurd blunders about the family and about the principal incidents of Roger's career did not disturb her. It is possible that her extraordinary eagerness to adopt a man whom she had never seen, and about whom she knew absolutely nothing, for all information had been withheld, may have suggested a suspicion that she wanted the heir for some purpose of her own and did not care who played the part. "Let him come; I will identify him and it will be all right"—this was the gist of her letters, and a strong desire was also expressed that the discovery of the heir should be kept secret from the family. As she was in this mood, and evidently not disposed to stick at trifles, the Claimant had perhaps some reason to complain that she would not recognize his handwriting at once as that of Roger. "You have caused a deal of trouble," he says, by not identifying the writing; and he hints that unless she does so at once he will stay where he is:—"But it matters not. Has have no wish to leave a country where I enjoy good health I have grow very stout." While in this hesitating mood, he somehow falls in with Guilfoyle, who had been gardener at Tichborne Park, and with Bogle, valet of the late Sir Edward Doughty. From them he might of course learn all about the Dowager's peculiarities, her craze about Roger, her visits to the grounds round Tichborne Park on dark nights with a lantern to guide the long-lost heir if he happened to be there, the lamp set in the window, and the other gossip of the servants' hall. If there was any resemblance between Castro and Roger it would also be remarked. Castro's hesitation is now gradually dissipated. On September 2, 1866, accompanied by his wife and child, and by Bogle, he sailed from Sydney to Panama on his way to England. At Panama he dallied awhile; then he went to New York, where there was another delay, and at last he started for England. Here again, however, he preferred the tedious route by the Thames to the Victoria Docks at Poplar. He arrives on the afternoon of Christmas Day, and almost immediately he hurries off to Wapping. Muffled up in a large pea-coat, with a wrapper round the lower

part of his face, and a peaked cap overshadowing the upper part, he enters the "Globe" public-house, makes his way to the bar-parlour like an old acquaintance, and over a glass of sherry questions the landlady about the Ortons. He tries to see one of Arthur Orton's married sisters that night, but she is out; and early next morning, without waiting for breakfast, he is off again to the neighbourhood of Wapping. He picks up all the information he can get about the Ortons, and sends a letter under an assumed name to one of the married sisters. Afterwards he sent them photographs of himself and of his wife and child as portraits of Arthur Orton and his family, and he also supplied the sisters and a brother with money. The Dowager was impatiently expecting him in Paris, but he was in no hurry to go to her. He avoided all Roger's relatives, and went to Gravesend to be out of their way. Next we have a glimpse of him, under the name of Taylor, hidden in his big muffler and peaked cap, driving round Tichborne Park and studying a catalogue of pictures in the house, with Bogle in attendance. Bogle refreshes his recollection of the house by a visit to it. It was necessary to have an attorney, and, passing by all the legal advisers in any way connected with the Tichborne family, he took one who was introduced to him by a gentleman whom he is said to have met in a billiard-room at London Bridge. At last he felt equal to confronting the Dowager. He reached Paris, accompanied by the attorney and the "mutual friend," at nine o'clock at night, but deferred his visit to his mother till next day. But next day he was so overcome with emotion that he had to send for her to come to him. He then, it is alleged, went to bed, where he anxiously awaited her: It is obvious that bed-curtains, blankets, and the dingy light of a Parisian bedroom are not favourable to the distinct recognition of a doubtful face. We do not know exactly what took place at the interview, but the result was that the Dowager agreed to recognize him. There were many old friends of Roger's in Paris, but none were sent for except Ulatillon, who at once pronounced him to be an impostor.

Returning to London, the Claimant began to get up his case. If he had been under the impression that on his identification by the Dowager he would at once step into the enjoyment of a handsome fortune, he discovered his mistake. He must make good his claim at law, and it was necessary to collect evidence. We have seen what blunders he committed about the family affairs in Australia, before he met Bogle. At Wagga-Wagga he had given Gibbs directions to prepare a will disposing of the Tichborne property, not one item of which was stated correctly. The Dowager's Christian names were wrongly given, and the names both of persons and places had nothing whatever to do with the Tichbornes, but oddly enough were associated with Arthur Orton's career. When in London he wrote to Mr. Henry Seymour as "My Dear Uncle," spelling the name "Seymore." Mr. Seymour was, in fact, Roger's uncle, but the relationship was never alluded to between them, the Dowager, Roger's mother and Mr. Seymour's half-sister, having been an illegitimate child. Some of his relations having with great difficulty obtained interviews with him, he took his uncle Nangle's butler, a young man, for his uncle, who is an elderly gentleman; mistook his cousin Kate for another cousin, calling Kate Lucy, and Lucy Kate. On many points, however, he showed an intimate knowledge of the Tichborne affairs, and as time went on he began to talk more freely about them. It happens that there is a great stock of information about the family which is easily accessible. It is an old family with a history, and there is a great deal about it in County Histories, Baronetries, and similar works. There is Roger's will at Doctors' Commons. There have been administrations and various suits in Chancery, and the documents are open to inspection on payment of a small fee. It is certain that Roger kept a diary, and was very particular about preserving accounts and letters; and the Dowager herself was a mine of information. Bogle also knew, as a servant knows, the private history of the family in our own day. Rous, the landlord of the "Swan" at Alresford, had been a clerk to Dunn and Hopkins, the attorneys to the late baronet; and the Claimant quickly established a good understanding with Rous, although it afterwards broke down. With his scraps of information picked up from the Chancery papers and from talk with Rous and Bogle, Hopkins was next angled for and hooked. Then there was Baigent, who at first declared the Claimant to be an impostor, and who suddenly discovered that he was the real man. The adhesion of Miss Braine, who had been Miss Doughty's governess, and of Moore, Roger's servant in South America, were not obtained till 1868. On the 12th of March the Dowager, who had been for some time restless and disturbed, died suddenly. This was so far a loss to the Claimant that it deprived him of the pecuniary help which he had obtained from the old lady, but on the other hand it rendered it impossible that his chief witness should turn against him; and when the Dowager died, she knew nothing of the Wagga-Wagga will, and other remarkable circumstances in the Claimant's career.

Tichborne Park was in 1866, as now, let to Colonel Lushington, and it was in every way a good haul when the Colonel was landed. The Colonel, who had never seen Roger, was mainly influenced by the Claimant's recognition of the Dowager's picture, and of a stuffed cock pheasant alleged to have been sent home by Roger from South America, and by his intimation that the backs of some miniatures would prove to be gold if scratched. The Claimant had, however, seen the Dowager, and had studied a catalogue of the pictures; the pheasant had not been sent home from America,

but was an English bird; and the miniatures had been framed by Baigent, who appears to have mentioned it. Towards the end of February an important auxiliary arrived—this was Carter, an old trooper of the Carabineers, who was henceforward always in attendance on the Claimant. A few weeks later Carter is reinforced by another old soldier who had been Roger's regimental servant—McCann. Previously the Claimant had either shirked or blundered about military matters, and Baigent had never even heard him make an allusion of any kind to his connexion with the army. But now he plunged boldly into Roger's military history, and converted military witnesses by his wonderful knowledge of minute incidents. There were old stories about a horse that killed a trooper, about another trooper who got drunk, about the practical jokes played off on poor Roger, such as "chucking all the things" out of his window and sending a donkey clattering into his bedroom, which he took for the devil; about the two dogs Spring and Piecrust, Mrs. Hay's crow, and so on. He has names, dates, and incidents at his fingers' ends. At first he begins with the privates. Carter spends a day at Sandhurst, standing beer to his former comrades, gossiping with them about old days, and preparing them for a meeting with the Claimant. Separate interviews were arranged; the Claimant received each man as an old friend, went through the familiar stories, hobbled about the room to show that he was in-kneed, and made the most of his assumed French accent. Next there was an expedition to Colchester, with similar proceedings, and after that visits to various barracks in the North of England. Carter was an active missionary; there was plenty of beer flowing, and an occasional distribution of half-crowns. One man brought over another, and the Claimant collected not only witnesses, but information. When he found he had got a good hold on the privates, he tackled the officers, and won over four or five, who had no idea how the twigs had been limed for them. The interviews were always pre-arranged.

As the ball rolled, it gathered bulk. The affidavits of the witnesses who were first secured proved a fruitful nest-egg. They were cleverly concocted and then circulated among people whom it was desired to catch. They were drawn up so as to fasten upon Roger several of the Claimant's peculiarities of expression or feature, and, being unconsciously accepted as evidence of what Roger was like, facilitated the recognition of the Claimant, who was found of course to be very like himself. Then there were little "test" incidents ingeniously contrived. When the Claimant went to Burton Constable, Sir Talbot Constable the first day could not recognize him. The next day the Claimant fired off one or two stories, possibly acquired in the interval from servants or others, about having played in private theatricals at Burton, and handed the wine round when a servant was tipsy, and about an old hedge being cut down; and Sir Talbot gave in. Mr. Biddulph, a second cousin of Roger's, is the only member of the family, with the exception of the Dowager, who has recognized him; and Biddulph has confessed that his opinion was influenced by a story about two death's-head pipes, which might have been known to many persons in the Tichborne household. Colonel Sawyer similarly succumbed to the Claimant's recollection of the Carabineers having been landed at Herne Bay from Dublin. This fact had been got from the War Office. At a railway station the Claimant captured Mr. and Mrs. Dease by going up to them and addressing them by name. They had the instant before been pointed out to him by one of his inseparable attendants. Mrs. Sherstone knew him at once because she has such a faculty for recognizing faces. Mrs. Hussey, who danced with Roger once at a servants' ball when she was fourteen years old, was confident as to his looks twenty years afterwards.

A great body of evidence was thus collected by the end of 1867. There was a sort of grand rehearsal in the examination before Mr. Roupell at the Law Institute; and then the Claimant had four years more to get up more facts, and to study his part, as the actors say. It is true he recollected a great deal of loose odds and ends of information when in the witness-box, but, considering the time he had had for preparation, there was nothing surprising in this. Indeed, the most remarkable feature in the whole affair is that he did not attempt to learn more; to get up a little French, for example, a few facts about Paris and Stonhurst, some notion of cavalry drill, and so on. His memory, like his French accent, was capricious—sometimes very strong, at other times a blank. He had a distinct recollection of his pipes, of the number on a trooper's horse, of the stag's head and mauve stripes on his shirts and handkerchiefs; but he could remember scarcely anything about his life at Paris, or at Stonhurst, and only such incidents in his military career as were the common gossip of the barrack-yard. He confounded a troop and a squadron, and did not know the difference between close and open order, or what telling off and proving meant, and he thought the Carabineers were a thousand strong. He had never heard of Lord Fitzroy Somerset. Roger had some knowledge of Latin, and the Claimant thought *Cæsar* was in Greek. He was sure he learned Hebrew at Stonhurst, where no Hebrew was taught. Roger was fond of music and could play the horn; the Claimant, when shown some music, and asked why the horn was written in such a key and the pianoforte in three flats, said it was because the horn could not get down to the flats. The Claimant pronounced the Dowager's name Felicité. The letters of Roger and the Claimant in handwriting, composition, and grammar are as different as letters can be. His story of the shipwreck of the *Bella*, and his escape with eight others in a boat, was absurd and contradictory. No survivor of the *Bella*

has ever turned up. Neither the captain nor any of the crew of the vessel which he said picked them up can be discovered. First he said it was the *Osprey*, a Scotch schooner, then the *Themis*, and then again he tried back to another *Osprey*. The Chili Commission proved that, whereas Tichborne was not known, Arthur Orton was known to the people whom the Claimant had mentioned as his friends at Melipilla. The Chili Commission taken in connexion with the Australian Commission and other evidence would seem to point to the Claimant as being Arthur Orton, but who he is of no practical importance if he is not Roger.

As to Roger's appearance at the time he left England there is a substantial agreement in the different portraits. His friends generally describe him as a slight, dark, pale man, with a soft melancholy eye, with thin, straight, very dark brown, almost black, hair, and with large and rather bony hands. His mother adds some flattering but fanciful touches, that he was tall and had blue eyes. General Custance's picture is in another style:—"A little, wretched, unwholesome-looking young man, about 5 ft. 6 in., or at most 5 ft. 7 in., very pale, thin, and dirty-looking, and apparently not likely to grow." The General's picture is perhaps too harsh, but we suspect it is nearer the truth than the more complimentary likeness. Roger was rather a weak, insignificant youth. When he first joined the regiment he was so under-sized and odd-looking, and talked so curiously in his French way, that the Colonel thought he must have come to see the cook, and directed an orderly to conduct him to the kitchen. He had to explain that he had come to see the Colonel and not the cook. It is possible that there really was a stronger resemblance in expression, if not in feature, between Roger and the Claimant than the counsel for the defence were willing to admit. But the physical evidence against the Claimant was overwhelming. It is possible that a man might increase in bulk, so that, having been once slender as Roger, he should become gross and ponderous as the Claimant; but the latter is an inch or more taller than Roger, who was twenty-four when he left England—an age at which men cease to grow in height. His head is larger; Roger's helmet, which was too loose for him, and had to be padded with a newspaper, was a painfully tight fit for the Claimant. Roger's hair was straight and lank; the Claimant's is curly. Roger's ears adhered to the side of his head; the Claimant's ears are dependent and free, with large lobes. Apart from the disputed scars on the Claimant's left foot, he has no marks of having been bled at all; but Roger was frequently bled on account of asthma. Roger's arm was elaborately tattooed, first by a sailor, who pricked out the emblems of Faith, Hope, and Charity, and afterwards by Lord Bellow, a schoolfellow, who added a cable and "R. C. T." On neither of the Claimant's arms are there any tattoo marks, though there is a mark at the wrist which it has been suggested might be a tattoo of "A. O." burned out. It will occur to every one that if the Court could have insisted upon beginning with a physical examination of the Claimant there would at once have been an end of the case, and that three instead of one hundred and three days would then have been sufficient to dispose of it. As it was, the jury could come to no other conclusion than that the claim had broken down, while the Judge had also no alternative but to commit Thomas Castro to Newgate.

NEWSPAPER DECORUM.

WE are, as is well known, an admirable people; and, if we have a strong point, it is the deep respect which we always entertain for that great safeguard of public morality which we call decorum, and which our French friends, by a slight perversion of the meaning of the word, describe as cant. As it is undeniable that we possess this virtue, by whatever name it may be called, we are of course quite right in giving heaven thanks for it as often and as publicly as possible. A man may sometimes be excused for hiding his light under a bushel, because a judicious display of modesty is frequently the best mode of extorting praise from our neighbours; but if as a nation we do not blow our own trumpet, we may be quite certain that nobody will take the trouble to blow it for us. Let us therefore rejoice with all due complacency that we are not as the Americans. Their newspapers pander to the curiosity of the many-headed beast by trespassing on the privacies of life, and publishing to all the world details which are rightly excluded from our admirable press. It should be our proud boast that our journals, like our novels, may be read from the top of the first column to the foot of the last—always excepting certain advertisements—without calling up a blush to the cheeks of virgins or boys, and without unnecessarily dragging into daylight matters which are not of public right. The British press should be, and of course it is, in this as in every other respect, the pride and envy of the world. But at the same time, for, alas! there are "buts" to every positive assertion—it must not be forgotten that even Englishmen are men. Newspapers must be more or less amusing, and cannot entirely deprive themselves of that great source of amusement which is derived from our criminal jurisprudence. The publicity of our trials is, we believe, one of the numerous palladiums of our liberties; and the more public they are, the more thoroughly, of course, will our liberties be secured. But, independently of constitutional considerations, no philanthropist could wish to cut down materially the reports which rivet the attention of a whole

nation. It is undoubtedly a pity that there should be murders, adulteries, and disputes as to the ownership of large property; but as human nature is constituted we may be pretty certain that there will be an abundant supply of such incidents; and perhaps people who delight to trace the natural chemistry by which some good is distilled from the greatest evils will regard the pleasure given to the public as some set-off against the injury inflicted upon individuals. Compare, for example, the pleasure caused by the *feuilleton* in a French newspaper with the pleasure given by a really good crime in England. The fiction endeavours to interest people by glowing pictures of imaginary vice; and it possibly succeeds in amusing, if not in instructing, a large number of intelligent persons. The fact, on the other hand, may be far less artistically composed, and may be deficient in many elements of dramatic interest. But the magic of reality invests the dull, blundering criminal with a charm absolutely unrivalled by the most vivid hero of fiction. The most thrilling narrative of Balzac or Sue or Dumas, to say nothing of their humbler British imitators, is wearisome if set beside the true story of some flesh-and-blood ruffian with just enough originality to knock out somebody's brains on a slightly new plan. His performance gives pleasure to thousands of breakfast-tables, and provides entertaining reading on Sunday mornings for hundreds of thousands of intelligent working-men. Dickens was a popular writer, but he never commanded an audience to be compared in numbers with those which have hung over the minutest details of the deeds of our great practical artists in crime, nor did his readers follow his most thrilling narratives with the same absorbing interest. The novelist, it is true, has the advantage in the long run; but whilst, if we may so speak, the scent of blood is yet fresh or the mystery still unravelled, the worker in fact hopelessly distances the worker in fiction. And, therefore, if we consider the quantity without paying too much attention to the quality of the emotion, it is perhaps disputable whether the pleasure which, thanks to the newspapers, is the indirect result of a great crime does not frequently outweigh the pain which is its immediate consequence. We leave some inferences from this fact to be considered by utilitarian moralists, and are content with observing that our unrivalled system of reporting trials may be regarded as in some degree compensating our newspapers for the bonds of decorum which elsewhere restrain their energies. It would be wrong for them to regale their readers by imaginary vice; but they are both discharging a great public duty and appealing to a stronger interest when they give the fullest details of a real atrocity.

There are, however, certain limits, not altogether easy of definition, within which their energies should be restrained. It has been felt, for example, that matters occasionally transpire in the Divorce Court upon which it is not desirable to afford the widest possible publicity; and we are glad that reticence in such matters is more generally practised than of old. There is another class of cases in which our laudable practice produces individual hardships too great to be compensated even by the public amusement. When, for example, an attempt is made to extort money by threats of exposing the past circumstances of a woman's life, the public may possibly enjoy the scandal; but it is an enjoyment of which anybody with a relic of manly feeling would be heartily ashamed, and certainly it is not one which he would accept at the price of being made more or less the accomplice of the extortioner. The public interest is not that wings should be given to the scandal, but that it should be kept within the narrowest possible limits compatible with the ends of justice. Even if the alleged facts are true, or partly true, the public has no claim to know them. It seems monstrous enough that the whole newspaper-reading population should be invited to discuss whether or not a woman has always led a virtuous life. It is all the harder because, even if the accusation be utterly false, there is always a chance that some of the mud so thrown may stick. Cases of intolerable hardship frequently occur where the vilest accusations are made against character which, from their very nature, are incapable of being decisively answered. The question is simply whether A. is guilty of some infamous vice or B. is a perjurer; and very often no testimony is available except that of the accuser and the accused. People to whom the characters are well known may form some probable conjectures; but the general public, to whom A. and B. are nothing but A. and B., can only make a guess in the dark. In all such cases it would seem plain enough that every care should be taken not to give premature or unnecessary publicity to the accusation. The pain inflicted is in any case enormous; it may be inflicted on a perfectly innocent person; and, moreover, it may operate in favour of the worst criminals. A villain who attempts to extort money by a false accusation—a crime which is frequently more morally detestable than even a murder—counts upon the unwillingness of his victim to have a public inquiry which will be painful, whatever its ultimate results. To give unnecessary publicity to the inquiry is therefore to put a new weapon into the hands of the vilest of human beings, and to enable them to give another turn of the screw to the person under torture. We fully believe that many a sensitive woman would rather buy off a villain at any price than submit to the misery of having it published in every newspaper in England that an imputation had been made upon her virtue. We should not favour a man who could make such an imputation unnecessarily, even if it were true; still less should we help him to trade upon it; and, as no punishment could be too severe for the abandoned scoundrel who would try to trade upon a

false imputation, no care can be too great to avoid putting additional weapons into his hands.

For these tolerably obvious reasons, we have been very unpleasantly impressed by a case to which we shall not refer more particularly; though, from the care taken by the leaders of public opinion, we cannot suppose that many of our readers are ignorant of its savoury details. It has, however, revealed a state of the law and of the press to which attention may properly be called. In the first place, it seems that it is possible for a man to go before a magistrate, and without reference to any legal proceedings, to make a declaration quite promiscuously to certain facts which would be destructive of a lady's character. This appears to us to be a very singular arrangement. At the simple cost of liability to a prosecution, which in many cases may be a very remote risk, a man may gratify his malice or his avarice by putting upon record, with or without provocation, a solemn declaration that a woman is unchaste. We are quite unable to see what end can be served by allowing a certain official stamp to be placed upon the gravest accusations which, even if true, do not form part of any judicial proceedings. There are circumstances under which it may be necessary to take a man's evidence on such matters; but that he should be allowed to volunteer such a statement without rhyme or reason, just because he likes to make it, is opposed to all one's ordinary notions of English justice. So far as appears, we may any of us now walk off to the nearest police-court, and make a solemn exposure of the worst things we choose to say about our neighbours' lives, to which they can only reply by bringing an action for libel against us. But this evil is comparatively small in itself; as it does not appear that the declaration so made would necessarily be known to many people. We provide any intending extortioner of hushmoney with a convenient mode of recording his calumnies, but we do not give him the widest possible circulation. That kind office has been on the present occasion undertaken by the *Times*, which, in the case to which we refer, publishes at length the declaration in question. Surely this, if we put the best construction upon it, is a very cruel oversight. It may gratify the prurient tastes of some readers to know precisely what is the imputation which has been made upon a lady's character, but meanwhile it is placing her in a most painful position without the smallest necessity. It is giving every possible publicity and currency to an accusation which may turn out to be entirely false, but which, meanwhile, may probably make upon many people an impression hard to be removed, even by the clearest refutation. Of the merits of the particular case we can, of course, say nothing. It matters nothing for our present purpose who may be in the right as to the facts. But, according to the present system, it seems that a sufficiently unscrupulous man, who sees his way to concocting a tolerably coherent story against a woman, may threaten her with making a declaration before a magistrate, which will be published to the whole world and read on half the breakfast-tables of the United Kingdom before she has had any opportunity of making a defence. Without wishing to deprive anybody of a harmless amusement, we may safely say that this is a means of offence which can obviously be turned to the worst purposes, and we regret that a leading newspaper should by any inadvertence permit its columns to be made in any degree subservient to it. We indeed are sufficiently prudish to be very little edified by the completeness with which the evidence in the case has been reported by the press generally. The declaration seems to be a wanton aggravation of the evil; but that is a detail. If a man makes a grievous imputation upon a woman's character, it is highly desirable that he should be punished if it is false, and a certain amount of publicity is necessary. But surely it is a case of all others where, under any circumstances, the publicity should be restrained within the narrowest limits. To give all the details of the accusation at full length can serve no possible purpose that we see, except gratifying a prurient curiosity. It is an unmanly action to take away a woman's character without imperative necessity, and those who spread the accusation as widely as possible are substantially allies of the man who originated it.

THE CATHOLIC MOVEMENT IN BAVARIA.

FOR many reasons, with which our readers will by this time be familiar, the Catholic reaction against the Vatican Council finds its head-quarters in Bavaria. As a writer in the *Allgemeine Zeitung* the other day observed:—"The movement has no longer to seek for its natural centre; it has already found it in the Bavarian capital. Here for the moment it stands before the doors of a Church corresponding to its requirements within the State. It rests with the Government to open those doors; it was prudent not to do so earlier, but to keep them shut any longer would show a want of insight." In Austria, for some unexplained reason, the Government appears to have betrayed this want of insight, if we may credit a recent announcement that no civil validity will be accorded to the acts of Old Catholic priests. On the other hand, in Prussia, Prince Bismarck, who has never proved himself a religious partisan, and has certainly manifested no hostility to the Roman Catholic Church as such, has been forced by political exigencies into an internecine conflict with Ultramontanism, and there, as in Bavaria, the opposite party in the Church have every likelihood of being allowed fair play. The autograph letter of congratulation sent to Dr. Dollinger last week on the occasion of his seventy-third birthday may be taken

to indicate the friendly feeling entertained for him by his Sovereign; and the overflowing attendance at his lectures on the Reunion of the Churches, now in course of delivery at Munich, to which we shall have to refer again presently, sufficiently testifies to his continued influence and popularity. There is, however, further evidence of a more precise and statistical kind to the advance of the movement in the country, which is worth recording. The general establishment of Committees, and, wherever required, of religious congregations (*Gemeinde*) of Old Catholics, was the twofold object of the organization set on foot by the Munich Congress of last September. And the latter part of the programme was of course sure to be the most difficult in itself to carry out, while moreover it necessarily in each instance presupposes the former. These ecclesiastical communities, with a local home and a regular pastorate, could not in Germany be organized without the sanction of the Government; and there would be no means, nor indeed any adequate ground, for taking such a step in the absence of a considerable body of warm adherents of the movement. It is just in this crucial point, however, that it has attained a great and probably unexpected success. Let us mention a few examples.

At Cologne, as our readers are already aware, two churches have been placed at the disposal of the Old Catholics, who have obtained one at Bonn also. But to come to Bavaria. Congregations have, it appears, been formed at Nuremberg and Ratisbon, two of the principal cities, and the latter the see of the most violent of the German infallibilist bishops. At Amberg, in the centre of what is considered a peculiarly Ultramontane province, the burial of an Old Catholic citizen, Zunner by name, solemnized by Professor Friedrich, was attended by an immense concourse of all classes, while the address got up by the clergy as a counter demonstration was very scantily signed, and chiefly by persons who were evidently not accustomed to write their names. The country people are always held up by the Ultramontane organs as the firmest pillars of Papal orthodoxy; but at the villages of Tegernsee, Grafing, and Sachsenkam, the discourses of the *Altkatholik* leaders were received with enthusiastic tokens of sympathy. More important is the recent establishment of an Old Catholic congregation with a regular pastor at Kempten, a town of 2,000 inhabitants, in the heart of a district where the resistance of the people to the new dogma seems to be both general and of a very determined character. At Munich the pastoral charge has been entrusted by the Local Committee to a priest named Hassler, formerly chaplain at Ziegenhals, as the needs of the congregation had quite outgrown the zealous but necessarily irregular ministrations of Dr. Friedrich and others, who could not devote their whole time to the work. A request has also been preferred for the use of a second church within the city, as the little chapel on the banks of the Isar, which has been occupied for the last four months, is greatly overcrowded on all Sundays and festivals, besides the inconvenience of its remote situation, though no obstacles of weather or distance have at all cooled the zeal of the increasing band of worshippers. At Mering and Kirfersfelden, the parish priests who, together with their people, have openly repudiated the new dogmas, remain in undisputed possession of their churches and endowments, but the "New Catholics," as they are now called in Germany, are allowed the use of the church at certain hours. It is impossible to measure the full strength and extent of the opposition in Munich till the use of some large church in the city is secured to them, and, after the express declarations of the Government assuring them of the fullest recognition and protection by the State, as Catholics, it can hardly be doubted that so reasonable a demand will be speedily complied with. Already two of the most powerful corporations in the State—the University and the magistracy—are acknowledged representatives of the Opposition. It is of course freely objected by the adverse party that, after all, the movement is no more than a tempest in a teacup, and will be powerless, as Dr. Newman said some years ago of the Tractarian movement in England, to stir the huge inert mass of the Church and the dead weight of compact obstruction presented by the hierarchy. But to this there is the obvious reply that, to adopt the phrase of an intelligent observer on the spot, "the vast net in which the movement is intended to be stifled in the bud has a good many holes in it." There are, he adds, and his statement is no doubt true beyond the limits of Bavaria, abundant symptoms of a forced and unnatural acquiescence among the general body, who as yet make no outward sign of dissent. And we may add that there are not wanting signs of an equally unwilling and merely formal and provisional submission among the bishops of the minority, who have managed somehow or other to patch up their quarrel with Rome for the present. The sole consideration which exercised any control over the headstrong obstinacy of the dominant faction at the Vatican Synod, but which also again and again induced the bishops of the Opposition to hold their hand, was the dread of schism. And from the first the keener and bolder spirits in the minority perceived that to this, if they were in earnest, it must come at last unless the Curia would yield. Even during the early months of the Council Dr. Friedrich had plainly told his friends in Rome that it would not be the first or the second time a schism had been found the only remedy for the wounds of the Church, and that if the contest against Curialism and Jesuitism was really to be carried on, a temporary schism was the inevitable result. To this it has already come in Germany, and the example seems not unlikely to be followed elsewhere.

While, however, they defend the policy of a temporary schism,

the *Altkatholiken* have always professed their interest in the cause of Christian union, and their conviction that it would in the long run be promoted rather than endangered by the present struggle. And in this sense we interpret the remarkable series of lectures which Dr. Döllinger has for some weeks past been engaged in delivering at Munich, an English translation of which, as we are glad to observe, is advertised to appear shortly by Messrs. Rivingtons. They have been addressed on successive Wednesdays to an unusually numerous audience in the great hall of the Museum, and are pretty fully reported every week in the *Allgemeine Zeitung*. A very brief notice of the main points touched upon is all we can find room for here. The opening lecture gives minute statistics of the present divisions of the Christian world, with an account of the numbers and leading characteristics of the various component elements of which it is made up. In his second address the lecturer gives a similar analysis of the condition and prospects of the different sections of the heathen world, and of the missionary enterprises, both Catholic and Protestant, for their conversion, which he regards as at best very partial and unsatisfactory, and that in great measure owing to the disunion among Christians. He therefore concludes by entreating all who love the name of Christ to pray daily for an outpouring of the spirit of Peace, that a new Pentecost of harmony and enlightenment may be celebrated throughout Christendom. In the third lecture Dr. Döllinger returns to the religious controversies among Christians, with the aim of discriminating disputes about essential dogmas from disputes about matters of opinion, and he dwells at some length on the great schism of so many centuries standing between the Eastern and Western Churches. The fourth lecture, which must have been peculiarly interesting to such an audience, contains a vivid sketch of the German Reformation, and does ample justice to the "surpassing greatness of mind and marvellous many-sidedness of Luther, which made him the man of his age and his people." The split between the adherents of the old and new learning only widened with time, and it was not till the end of the seventeenth century that the centrifugal force of the Protestant movement had spent itself, and men on both sides began in earnest to look about them for the means of reconciliation. The fifth lecture is devoted to a review of the principal attempts which have been made in that direction, especially those connected with the names of Calixtus, Grotius, Bossuet, and Leibnitz, and the irenic policy of Innocent XI. The lecturer speaks hopefully of the future, and observes that, wherever he looks, and especially in Germany and England, he sees signs of a reaction towards unity. A sixth and last lecture is promised to be delivered on Wednesday next, with immediate reference to the religious phenomena of England. We are not, it must be remembered, engaged now in reviewing Dr. Döllinger's lectures, but are simply calling attention to them, and to the impression they are producing in Germany, in connexion with the movement of which he is the acknowledged leader. One rather important corollary would seem to follow naturally, if not necessarily, from the line of argument pursued, and is indeed expressly affirmed by other writers on the same side. The view is evidently spreading among the theologians of the party that none of the mediæval Councils, held after the division of East and West had been consummated, can be regarded as Ecumenical in the strict sense of the word, and that the Christian Church can only be reunited on the basis of the faith previously agreed upon, which must form the starting-point for any future developments. This is expressly stated in Professor Friedrich's *Tagebuch*, and is said to be maintained or certainly implied in the language of some leading bishops of the minority—Archbishop Kenrick for one. We are not of course concerned here to discuss the theological merits of the question. But it is obvious on the face of it what a powerful solvent the acceptance of such a principle would apply to a great deal of the popular belief and practice of Roman Catholic countries. And it is in such popular traditions, far more than in their dogmatic standards, that the chief grounds of antagonism between rival religious communions are usually to be sought.

IMPERIALISM WHITEWASHED.

IMPERIALISM has been put on its trial at Rouen in the person of the Count Janvier de la Motte, ex-Prefect of the Eure, and has been—shall we say honourably?—acquitted. We do not fancy that M. Thiers and his Republic will have much reason to congratulate themselves on the result of this experiment. M. Thiers, who boasted the other day of his years and experience, should certainly know his countrymen by this time. It may be assumed that he had a purpose in bringing a representative satrap of the Empire to the bar of public opinion, and that purpose can scarcely have been other than to discredit Imperial institutions. He bestirred himself in the midst of more important business to disturb the defaulting official in his Swiss exile, and reclaim him for French justice in virtue of extradition treaties. He secluded him in an eight months' confinement while preparing the process that was to ensure his condemnation. He arraigned him at last on a series of apparently most damaging charges; conjured up a formidable cloud of highly respectable witnesses; flashed the full light of publicity upon a variety of scandals and misdeeds that naturally court the darkness. Enough has been admitted on all hands to cover with disgrace the official and moral character of the culprit, according to our narrow insular notions. Yet M. de la Motte has been unanimously acquitted by the jury amidst general applause,

and leaves the Court "without a stain upon his character." We do not say that political opponents will fail to hold him up to contempt and execration, or to draw political lessons and moral warnings from his story. Very likely there will be social preachers and Pharisees to brand him as a representative of the sinners who have called down judgment on France. But there is not the least reason to suppose that he will in any way lose caste in consequence of the recent unpleasant disclosures. It is sufficiently clear that those who used to admire and associate with him, in spite of the immorality he paraded, will continue to hold him in as high esteem as ever; that misdemeanours which our criminal judges call by ugly names will be cancelled by a set-off of his brilliant gifts and his official merits; in short, that his public errors will be condoned, as inherent to a system that suits the people, while they throw his personal virtues into brighter relief. M. Janvier de la Motte evidently expected as much, and bore himself accordingly. Eight months of prison following on official destitution and exile had neither broken his spirit nor made his conscience unduly sensitive. At the bar of Rouen he carried himself erect as in the halls of his official residence at Evreux, and the prisoner preserved all the dignity of the Prefect. He knows his countrymen better than the veteran statesman who provisionally regulates their destinies. He has been moving with the age ever since he entered public life. He served his apprenticeship to statesmanship in the school of the Empire. The Empire made it its business to study the masses whom it ruled, to promote their prosperity, to pander to their weaknesses, to distract their fancies—at once to serve, to guide, and to dazzle them. M. de la Motte knew very well that he was not an ordinary culprit. Slightly to parody words placed on a memorable occasion in the mouth of his late master, he represents a system and a cause, a success and a defeat. M. Thiers's Government singled him out for exposure and retribution as representing renesant Imperialism. He was sensible of the honour, and accepted the challenge. He had a right to be proud of the implied distinction. Whether he had done all that he was charged with, or the half of it, he had only strained his powers within the limits of a judicious discretion, and acted as the most energetic and able of his *confrères*. So, in fact, said no less a personage than M. Thiers's Minister of Finance, and we at least are quite ready to believe it. M. de la Motte comprehended instinctively the principles of Imperialism, and had all the qualities to put them in successful practice. He entered on his political apprenticeship in the sub-Prefecture of Dieppe. Even in that modest station he found means of recommending himself to those whose business it was to develop serviceable talent. His first promotion fully justified the good opinion of his superiors, and procured him yet higher preferment. Although not a Prefecture of the first or second rank, the Eure was an important and delicate post. It contained a large and unusually intelligent Liberal element strongly disaffected to the Empire, and was moreover exceptionally exposed to Bourbon and Orleanist influences. An Imperial prefect had no need to make enemies in the Eure. He was sure to find hostile critics in abundance. The various ingenious methods of cooking official accounts would of course remain strictly family secrets, and the Conseil Général that passed the bills would be composed of staunch partisans of the ruling powers; but the outlay generally, the pomp, parade, and costly festivities, would be matter of public observation, while private irregularities far less flagrant than those imputed to M. de la Motte would be discussed and exaggerated by the gossip of a provincial town. Yet, such as he was, M. de la Motte gained an extraordinary popularity, and even the recent disclosures do not seem in any degree to have alienated the sympathies of his late subjects. We are told that he was regarded as a victim and a martyr—the victim of his own brilliant qualities and genial vices, a martyr to the political strategy of a precisian Government. The leading magnates of the department, cited as witnesses against him, seldom missed an opportunity of putting in a good word in his favour, and now that he is restored to liberty, they will no doubt associate with him on the old friendly terms. So we may fairly come to the conclusion that, according to French ideas, M. de la Motte is a model magistrate, and we may draw the inevitable conclusion as to the form of government that is best suited to his country.

It is a strange picture that we get of society in the department of the Eure under Imperial institutions and M. Janvier de la Motte. Work and waste went hand in hand at the Prefecture, and energy continually exerting itself could afford to indulge in occasional excess. The model prefect is represented as showing a sublime disregard for decencies, worthy of the most autocratic voluptuary that ever filled a throne. His amours are described as promiscuous and ostentatious. Not content with perpetual visits to the capital, where he was as conspicuous in certain circles as any patron of the opera balls, he established in the Prefecture ornaments of the Parisian stage and ballet, and played the Don Juan in Evreux as well. As for his debts, they were on the scale that might have been expected from his magnificent tastes and extravagant pleasures. He owed money everywhere, and borrowed down to the most paltry sums in the most unlikely quarters. He dealt with the public funds as freely as if they had been his own. He himself pleads guilty to what we should call falsifying his accounts in all manner of ways; or rather he avows it, for he admits no guilt in the matter. It was all an understood thing. He was supporting the dignity of the Empire, and studying the interests of the department, in the exercise of his official discre-

tion. Lavish display tended to assure public contentment and the stability of the dynasty; gold sown broadcast in works of public utility returned twentyfold to the department. And from the point of view that was justified by precedent and prevailing practice, it may be admitted that there is much in what he alleges. He was absolutely free from prejudice in the choice of his means, and something less than accurate in financial details; but, broadly speaking, he justified the confidence of his superiors. He spent freely, for the public as well as for himself; certainly he saved nothing. He developed the riches of his province, and converted the fluctuating mass of its sentiment to Imperialism. He appears to have been as generous to the poor as to himself, although he is accused of having borrowed from them in a time of dire necessity. He opened roads and built bridges that raised the value of land; he promoted the agricultural and horticultural exhibitions that have made the fortunes of farmers and gardeners in the Eure. He conciliated the aristocracy, created loyal enthusiasm among the people, preserved the public tranquillity, and pleased all parties. If every agent of the Bonapartes had carried out the Imperial programme with equal judgment, the Emperor might probably now have had a roof over his head at St. Cloud, instead of languishing in exile at Chislehurst. For M. de la Motte was a man of indefatigable spirit as well as of iron frame. He went about his official business with even greater energy than about his pleasures. If he delighted in dissipation, it never dulled his faculties or interfered with his doing his master's work. He was a thoroughly enlightened administrator, and it was not only in moral questions that he set slight store by old-fashioned ideas. He had the reverential confidence of the rural mayors and the peasants; he won the respectful consideration of the commercial centres. He was hail-fellow well-met alike with long-descended nobles, self-made men, and rustic clodhoppers, preserving all the time his own dignity and that of his master. For, with all his urbanity, M. de la Motte stood no nonsense. He suppressed journals, repressed the factions, put the maires and curés in training, and taught them, with their flocks and their villages, to answer the word of command with servile obedience. It would seem that the French like this sort of thing. They feel gratitude as well as respect for the man who can drive a team so queer with a hand at once firm and gentle; who will let them have their heads so long as they keep his road, but holds them well together in spite of themselves, and will suffer them neither to bolt nor to stumble.

Adroit, able, and brilliant as he was, surely M. de la Motte's official career would have been an impossibility in any country but France. The most painful and significant part of the story is the general tone of morality which it shows. No wonder that his "indiscretions" are regarded with leniency, when so many people of all ranks were found to make themselves his accomplices. For in every case where he confesses to a fabrication of accounts one or more persons besides himself were in the secret. Some of them were subordinate officials, whose careers might have been blighted by a single word from their master. It is natural, perhaps, that they should not have presumed to a virtue greater than his, but it is significant at the same time that he should have dared to admit so many of them to his secrets. It showed that neither he nor they believed he was placing himself in their power. Moreover, many of his accomplices were men of independent position. Yet they, no less than errant aeronauts, conservators of botanical gardens, and managers of theatres, all consented to forward the Prefect's designs on the purse which it was his business to protect. There were besides a perfect host of farmers, tradespeople, carriers, gardeners, common labourers, who were made privy to as many misdemeanours, and became parties to what we should regard as criminal offences in obedience to his simple order. We have no means of judging how far M. de la Motte may have corrupted society, or how far the easy tone of society carried M. de la Motte into pushing his moral liberty to license. We may reasonably suppose that a department is not to be utterly demoralized in a few years, and that he found in the Eure a soil exceptionally favourable to the growth of the seed he sowed. We may presume that this sort of thing has been going on generally over France during the two decades of the Empire. Of such men were the Empire, and such were its morals. M. Thiers has chosen to bring it to the bar of opinion, and opinion seems to pronounce decidedly in its favour.

INFANT LIFE PROTECTION.

THE practice which is commonly called baby-farming was investigated last Session by a Committee of the House of Commons, which produced a blue-book of formidable size; and Mr. Charley, who was an active member of that Committee, has introduced a Bill founded on its recommendations, which is as innocent as any child, and promises to introduce a Bill on the cognate subject of bastardy, which is perhaps questionable. We must allow that Mr. Charley can quote evidence from the blue-book in support of an alteration of the law of bastardy, but there would be little difficulty in producing evidence on the other side. The Treasurer of the Foundling Hospital thinks that magistrates have been rather too stringent in the proof they have required of the liability of the father of a bastard; but lawyers who practise before magistrates know that the odds are in favour of an affiliation summons succeeding. Cases frequently occur of married men who have lived many years without reproach being called upon to

meet charges of this kind. There is a man's oath against a girl's, and there is also the requirement of corroboration of the girl in some material particular by another witness, which the law imposes and which magistrates are often inclined to fritter away. It is possible that the champions of woman's rights may take this matter up, and ally themselves with Mr. Charley; and if by such a combination of force the present bastardy law should be relaxed, the consequences to mankind will be serious. Respectability will be no protection whatever against these allegations, for when a girl resolves on perjury, she usually selects a victim who can pay.

The Bill for the better protection of infant life provides that a baby-farmer must take out a licence, which may be granted by a magistrate on a certificate to be given by a magistrate, minister of religion, or medical practitioner. The certificate must state that the person signing it has "personally investigated" the character and fitness of the applicant. We do not perhaps quite understand what is meant by "personally investigating" a woman's character, but if we do, we should think that men in general would feel disposed to decline the duty, particularly if, under Mr. Charley's other Bill, there might be a temptation to the woman to allege that during the process of investigation she became a mother. The Bill for protecting infants is a poor little Bill, and it was feebly introduced. There is to be no charge for the licence to keep a baby-farm, because, as Mr. Charley says, the exaction of a fee might tend to deprive the children of "many little luxuries," which he seems to suppose they usually enjoy. The Bill is not to apply to "homes or public orphanages established for the protection of infants," although we do not see how any distinction is to be drawn between a "home" and an ordinary baby-farm, where of course the comforts of a home are provided. Mr. Squeers said of Dotheboys Hall, "the fact is it ain't a hall," and probably nobody who sent a child there supposed that it was. When "the comforts of a home" are offered at a cheap advertising school, we understand what is meant. Any keeper of a baby-farm may call it a "home," and the statement that it "protected" infants as effectually as Mr. Charley's Bill would not perhaps be easy to refute. If any child dies in a licensed baby-farm, there must be a medical certificate that the death arose from "natural causes," or an inquest must be held. But in truth the causes of death at these receptacles are almost always "natural." The child is separated from its mother and kept in bad air on insufficient food, and a large percentage of children so treated die. The baby-farmers know their business far too well to accelerate incautiously the operation of the "natural" causes which tend to remove natural children from a world where their presence is inconvenient. Of course, if the babies are made to partake too largely of the "little luxury" which is vulgarly called "quietness," a coroner's inquest may help to bring the baby-farmer to deserved punishment. But we hardly see how the State can enforce the adequate feeding of nobody's children, except by feeding them itself, which would amount to an encouragement of illegitimate intercourse of the sexes. The House of Commons not inappropriately discussed on the same day with this Bill the question whether the mixing of water with milk should be punished as adulteration. Unless Government is to appoint inspectors of pap-boats we fear that Mr. Charley's well-meant efforts will be ineffectual. It appears from the evidence taken by the Committee that there are in all parts of London a large number of private houses used as lying-in establishments where women are confined. When the infants are born some few of them may be taken away by their mothers; but if they are to be "adopted," as is usually the case, the owner of the establishment receives for the adoption a sum of money, sometimes as little as 5*l.*, sometimes as much as 50*l.* or 100*l.*, according to the means of the person who goes to be confined. The infant is then removed to the worst class of baby-farming houses under an arrangement with the lying-in establishments, by which the owners of the baby-farming houses are remunerated, either by a small round sum which is totally inadequate to the permanent maintenance of the child, or by a small weekly payment which is supposed to cover all expenses. In the former case there is obviously every inducement to get rid of the child; and even in the latter case, unless the mother should come to look after it, which she seldom does, improper and insufficient food, opiates, drugs, crowded rooms, bad air, want of cleanliness, and wilful neglect are sure to be followed in a few months by diarrhoea, convulsions, and wasting away. This is the substance of the description given of baby-farming in the Report. The children born in lying-in establishments and removed to baby-farms are usually illegitimate. The burden of supporting these children may be imposed upon the father, or the mother, or the community. Make the father pay by all means if you can catch him. But if you press upon the mothers they will be irresistibly tempted to relieve themselves by falsely affiliating their children upon men who are able to maintain them. The third alternative is opposed by prevailing feeling; and yet if we cannot make up our minds to maintain bastards, it is idle to complain that they are allowed to starve. The objection to any effectual measure would be something similar in character to that which has been urged against the Contagious Diseases Act. It would be said that the State was encouraging immorality. But if an effectual measure cannot be passed, that is no reason why Mr. Charley should propose a measure which must necessarily be ineffectual. The Committee recommended a compulsory registration of all births and deaths, and we are told that the Government contemplates introducing a measure with that object. Sup-

posing it to be enacted and enforced, the children must, on failure of their parents' means, be supported either at parochial or national expense. At present no account is taken of these children, and 70, 80, or even 90 per cent. of them die from crime or neglect. Crime, however, is rare, while neglect is almost invariable; and from the two causes bastards are, as a witness puts it broadly, "killed off" before they are a year old. The Committee further recommended an inspection of lying-in establishments; but Mr. Charley tells us that so much difficulty existed in framing a provision for that purpose, that it had been determined not to embody that recommendation in the Bill. He did not explain what the difficulty was, and we should think that such a measure might reasonably accompany that for compulsory registration. If it is intended that illegitimate children shall continue to be "killed off" quickly, Mr. Charley's pretence of doing something may usefully conceal a determination to do nothing.

"The Christian, the philanthropist, and the legislator" are supposed by Mr. Charley to concur in desiring that he should interfere to prevent the "wanton destruction" of infant life. It appears, however, that the mere fact that children are hand-nursed instead of breast-nursed, will, unless great care be taken, raise the death-rate even in well-conducted homes to forty per cent. and upwards. We are told in the Report that "the children of wet-nurses, almost all of whom are single women, are usually put out to some dry-nurse for hire, and, in that case, scarcely any of them are known to live long." This remarkable statement is born out by evidence which deserves the attention of the Christian and the philanthropist as well as of Mr. Charley and other legislators. We all know that among people who can afford to pay for anything they desire to have, wet-nurses are sometimes in demand, and this Report shows that the supply can only be obtained by resorting to single women who have children. A married woman will not in general put another person's child in place of her own for any reward that can be offered, because this is in effect giving to the stranger a large, and to her own offspring a small, chance of life. In London, said a witness before the Committee, nearly all illegitimate children are put out to nurse, because if a mother has her child to nurse she can hardly get her own living. It appears that of children put out to nurse nearly half die under good treatment, and therefore Mr. Charley's Bill could at the most only affect the possibility of life of the other half. It is to be hoped that Christians and philanthropists will be able to reconcile themselves to the small results of Mr. Charley's labours. Perhaps if a Conservative Government were to be formed, it might appoint Mr. Charley to the office of Inspector-General of pap-boats under his own Bill.

RECRUITING.

FROM a Report on recruiting just issued, and the recent debate in the House of Commons on the same subject, we glean many interesting facts and obtain much food for thought. A successful method of recruiting is the basis of every military system, for, however excellent may be the organization of an army, it avails nothing unless there be an adequate number of men to organize. Neither in Prussia nor in France is there any difficulty on this point; the former, by means of universal liability to service, and the latter, by conscription with substitutes, is able at all times to obtain the supply of men required. Both systems possess the advantages of simplicity, of economy, and of the certainty that there will never be any lack of recruits to complete the establishments fixed upon. In other respects there is a great difference between the two systems. That of Prussia tends to increase the respectability of the army and to raise the status of the soldier; that of France on the contrary degrades the profession of arms. It is objected to the Prussian method that it involves an oppressive personal tax, and interferes with the productive industry of the country. In France matters are even worse; for the conscription is not only a personal tax, but one which, like misfortune, is blind in its incidence, while by the admission of substitutes the poor are placed at a great disadvantage as compared with the rich. The latter pays merely a fine easily borne, the former contributes his all—namely, his labour. So strongly are the objections to both methods of recruiting felt in England, that although the voluntary system has always been more or less a failure, we still obstinately adhere to our old practice. This practice is simply that the State goes into the labour-market, and competes with other employers. It has been shown by a contemporary that the voluntary system, even when bolstered up by high bounties graduated according to the necessities of the moment, had scarcely ever succeeded in completing our establishment, and it may reasonably be anticipated that the abolition of bounties will tend to check any sudden supply of men. Nevertheless it is decided that voluntary enlistment shall have a further trial. Mr. Cardwell is confident as to the result, and is sanguine as to the effects which will be produced by localization, improvements in the condition of the soldier, and the holding out of prizes. It is probable that even the partial system of localization which is to be instituted will accomplish something, for it will bring the recruiter into close contact with sources of supply which have not yet been tapped; yet it is to be remembered that it will add but little to the actual inducements to enlist.

It is certainly time that some steps should be taken without delay, for our present position is as follows. Notwithstanding

that we accept boys for men's work, and take men as short as five feet five inches in height, the cavalry, engineers, and infantry are only nearly complete, and in the artillery there is a deficiency of some 1,783 gunners. Various explanations are offered for this unsatisfactory state of things, such as the augmentation commenced eighteen months ago, and the present great demand for labour. Still, be the causes what they may, the ugly fact remains that the supply falls even now short of the demand. The Inspector-General of Recruiting himself confesses that "at present the supply of men has not been quite sufficient," and that increased difficulty is to be apprehended in the future. He reckons the number of recruits now required as 10 per cent. on the establishment, and estimates that, owing to the transfer of long service men to the Reserve, the percentage will gradually increase, till in 1876, when the six-years' men will begin to obtain their discharge, it will amount to fifteen. According to this calculation, the demand will four years hence be half as large again as it is at present. We fancy that the estimate of ten per cent. is unduly low, and we would suggest both that the maximum of demand will not have been reached till all the twelve-years' men shall have been discharged, and that if ten per cent. of recruits are required yearly when men enlist for twelve years, nearly double that number will be necessary when the army is almost exclusively composed of six-years' men. It might be imagined that in proportion as the Reserve increases the active army may be reduced. A little consideration, however, will show that this is a fallacy. Reserve men will not be as efficient as those who have served upwards of three years with the colours without intermission. Nor can we ever reckon on obtaining, when we want them, all those borne on the rolls of the Reserve. It is obvious that unless high inducements are held out to tempt members of the Army Reserve to complete their Reserve service, no man will obey the summons to the colours unless it suits him to do so. How, for instance, is a Reserve man who originally enlisted in Cork, was passed into the Reserve in London, and subsequently settled in Tipperary, to be caught? What is there to prevent a man from emigrating should the fancy seize him? In last Monday's debate Mr. Holms argued in favour of reducing the period of service from six to three years, and suggested that the army should consist of 83,000 men with the colours, 60,000 in the first reserve, and 50,000 in the second reserve. He forgot, apparently, that the annual percentage of recruits would thereby be raised from ten to over thirty, and that we should require each year about 25,000 men, whereas the Inspector-General of Recruiting informs us that "an annual average of from 20,000 to 21,000 is more than has been hitherto obtained." Besides, though an infantry soldier learns his drill in a few months, he cannot be considered as thoroughly trained till he has served three years. According to Mr. Holms, therefore, as soon as he became valuable he would be passed into the Reserve. In three years his military habits would not have become fixed, his military knowledge would not have been converted into an instinct, and after a few months of civil life he would sink to a level of efficiency but little superior to that of a Militiaman.

But, after all, the pressing question is this:—We cannot get a sufficient number of recruits even now, when our demands are moderate; what additional inducements shall we hold out when our demands increase? and we have seen that they must increase. The Inspector-General confesses that by the abolition of bounty the inducements to enlist are in one respect less than they were. We consider the abolition of bounty a proper and judicious measure, but still, as a matter of fact, the inducement to enlist has been diminished by the amount of that bounty. Again, the soldier has now no right to serve long enough to obtain a pension, and, save in rare instances, he will not be permitted to make the army his profession for life. The Inspector-General institutes a comparison between the position of the man retiring after twenty-one years' service on a pension of a shilling a day, and the position of the man who, after six years' service, is passed into the Reserve with an allowance of 7*l.* a year for six years. The present value of the pension is from 33*l.* to 34*l.* 10*s.*, while that of the Reserve pay is 28*l.* 8*s.*, showing a balance in favour of the former of from 4*l.* 12*s.* to 6*l.* 2*s.* On the other hand he places the advantage of knowing that the short-service man can, if he likes, retire after six years. This is hardly a fair way of putting it, for as a rule he must retire, or the supply to the Reserve would fail. For our own part we very much doubt whether short service is an inducement. There are two classes of men who enlist. One consists of thoughtless lads, who never ask or think at the time about the duration of their engagement. To them short service is no inducement. The other class is made up of men who, enlisting deliberately and from a liking for soldiering, seek to make the army a profession and provision for life. To such men short service is positively distasteful. We are told that the average age of recruits is nineteen, and that it cannot be raised, because after that age men have settled down in some occupation. But take the recruit who, enlisting at nineteen, passes into the Reserve at twenty-five. He has forgotten his former trade or occupation; he is too old to learn it again; his habits are unsettled; and employers will not care to engage him because of his periodical absence at training. Great inducements are, according to the Inspector-General, offered by the promise that a discharged soldier of good character will, if able to pass an examination, be selected for a clerkship in the War Office in preference to other candidates. He also dwells upon the fact that men of the Reserve

will, if qualified, be appointed Post Office messengers in country districts. Now the number of annual vacancies at the War Office is very limited, and the remuneration of a Post Office messenger is not excessive. Still, if a beginning were made, and a large number of discharged soldiers were at once gazetted to these appointments, a beneficial influence on recruiting would no doubt be the result. But the question arises, would not the public service suffer if a considerable number of War Office clerks and Post Office messengers were suddenly recalled to the ranks? Were a national emergency to take place, the work in Pall Mall and the operations in the Post Office would certainly not be diminished; yet it is precisely at such a time that the Reserve men would be required with the colours. It seems questionable whether appointments under Government should be given to the soldier until after the completion of his Reserve service. Schooling is also brought forward as an inducement to enlist. Unfortunately those who most require education generally care least for it, while those who do not require it are able to do better for themselves elsewhere than in the army.

The Inspector-General, after exhausting his list of inducements, suggests two notable expedients for facilitating recruiting. One is that magistrates, the clergy, and the gentry generally should set forth the advantages of a short military training. Nothing could be more desirable, if we may assume their readiness to act as amateur recruiting sergeants. The other expedient is that loafers, if not actually tainted with crime, should be persuaded to join the regular army, where discipline and the removal from former influences would in many cases reform them. He does not state how such men are to be persuaded, and we must say we doubt the advisableness of lowering the tone of the army by making it a reformatory for vagabonds. We observe that the hope of obtaining a commission is not included among the list of inducements. The omission is creditable alike to the good sense and the honesty of the Inspector-General; for, at the present rate of officer's pay, a commission is not looked on by soldiers as a prize. Throughout the whole Report runs a vein of apology and foreboding. The apologetic tone is particularly discernible when the Inspector-General speaks of the Militia in connexion with recruiting. In one part of his Report he observes that the practice of the Militia and army recruiting side by side, the Militia recruit receiving a bounty and the army recruit none, is injurious to recruiting. In another passage, however, he combats this idea, and expresses a belief that as the Militiaman will probably be allowed after one training to volunteer into the Line, the Militia enrolments will help Line enlistments. To us it seems more reasonable to expect that direct enlistment for the Line will be enormously diminished, and that few men will enter the army save through the Militia. Were the bounty abolished for the Militia all rivalry with the army would cease; for, as a general rule, each would attract a distinct class of recruits. To make the Militia a mere passage into the army is not beneficial to the latter, and cannot fail to destroy both the efficiency and the *esprit de corps* of the former. Perhaps, however, the weakest point in Mr. Cardwell's scheme is the impossibility of reconciling short enlistments with Indian service. The India Office and Indian Government will never consent to incur the expense of relieving regiments oftener than every ten years. Even if the period of Indian service were reduced to five years and three-quarters, every man in the regiment would have to be enlisted the day before the regiment started, and to be discharged the day after its return, for the voyage out and back would occupy three months. If therefore the present system is to be persevered in, it is difficult to see how we are to escape the necessity of re-establishing the local European army—a proceeding on many grounds to be deprecated. Bearing in mind the large force kept up in India, we do not understand how it will be possible to carry out even Mr. Cardwell's present plans, much less to reduce the period of service to three years. An obvious solution of the difficulty would of course be to adopt the system of universal liability to military service; but for such a radical change the country is not yet ripe.

THE DEBATES IN THE SWISS STÄNDERATH.

WE venture to hope that we have made some small contribution to political knowledge by our attempts to give English readers some idea of the questions involved in the present reconstruction of the Swiss Federal Constitution. But it is a work which has been in some respects carried on under difficulties. It is not easy to record and comment on the proceedings of two bodies which are sitting at the same time. Add to this that there seems to be some mysterious difficulty in forwarding the debates from Switzerland to England. (The official paper, the *Bundesblatt* or *Feuille Fédérale*, travels with perfect ease and regularity, but the *Bulletin*, which contains the debates of the Assembly, comes, as far as our experience goes, in a way like the eccentric orbit of a comet—one sheet in French, another in German, the French and German sheets in no way following or tallying with one another, and the variety being further improved by this or that sheet not coming at all. Under these circumstances it is sometimes a little hard to follow the thread of a debate, or even to know to what conclusion the House has come. Nevertheless we have done our best, and we believe that on most points we have been able to

give a fairly correct account of what has happened. And we feel sure that, in doing so, we have done some service to those political thinkers who have eyes keen enough to see that the amount of political instruction to be gained from the history of a country is not always in exact proportion to the extent of its area, and that a high degree of moral greatness may be found in States which make no pretensions to physical bigness.

The *Ständerath* or Senate has now brought the main stage of its labours to an end, and the present business of the Houses is that of discussing one another's amendments. Our former articles have been concerned with the debates in the *Nationalrath* or House of Representatives. We will now attempt a sketch of the fate of the different proposals which have gone up from them to the *Ständerath*. One branch however of the proposed changes we purposely lay aside. The "unification" of several branches of law throughout the Confederation, and the extended powers which it is most wisely proposed to give to the *Bundesgericht* or Federal Court, deserve to be treated separately, from the technical point of view of a lawyer, and we therefore reserve them. Another point also of a technical kind is the change which is proposed in the military arrangements of the Confederation. This, like most of the other proposed changes, is a change in a centralizing direction, lessening the power of the Cantons and increasing the power of the Confederation. As such it was strongly opposed by the supporters of Cantonal rights. An outsider is perhaps hardly qualified to judge between the actual and the proposed system; what mainly concerns the political student is that on neither side does there seem any disposition to forsake the distinguishing character of Switzerland in the face of other nations, and to substitute a standing for a national army. Putting aside therefore these more purely technical matters, legal and military, we will attempt to sketch what the *Ständerath* has done in matters more strictly political. On the whole it may be said to have adopted the proposals of the *Nationalrath* with some modifications. Both Houses therefore are committed, though not quite in the same degree, to what is called the Unitarian policy, to the increase of the powers of the League at the expense of those of the Cantons. But in the *Ständerath*, as in the *Nationalrath*, some of the proposed changes have been carried by the smallest possible majorities, and it must be remembered that they still await the affirming or rejecting vote of the Cantons and of the people. As we have throughout not concealed our own sympathies with the Federalist side, we are perhaps hardly fair judges when we say that the balance of eloquence and argument seems to us to be on the Federalist side. The famous James Fazy of Geneva, a man who has in his time done much good and much mischief, but who at any rate is entitled to honour as one of the chief authors of the Federal Constitution of 1848, has stood boldly forward to defend what is largely his own work. And he has met with a powerful antagonist in a member of the Federal Judicature, Dr. Blumer of Glarus, the constitutional historian of the primitive democracies. And the Federal councillor Dubs, using, like President Welti, the power which the Constitution gives him of speaking and making motions in either House of the Assembly, shone forth once at least as the chief orator of the debate. Our last piece of news is that this distinguished man is so dissatisfied with the course which things are taking that he has determined altogether to withdraw from his place in the Federal Government. He has offered his resignation to the Federal Assembly, but they have declined to accept it. It remains to be seen what will be done at the next election of Federal Councillors, but we trust that Dr. Dubs may be led to think again before he deprives his country of his services.

Passing by the military debates, the first question of much interest out of the country which came before the *Ständerath* is the question of education. It will be remembered that the *Nationalrath* rejected some of the fiercer proposals of its own members, and passed a resolution which we gave on a former occasion* in the French version, and which the ups and downs of our information have now given us an opportunity of quoting in the German:—

Die Kantone sorgen für obligatorischen und unentgeltlichen Primarunterricht.

Der Bund kann über das Minimum der Anforderung an die Primarschule gesetzliche Bestimmungen erlassen.

The Committee of the *Ständerath* proposed to accept the clauses as sent up by the *Nationalrath*, only leaving out the word "unentgeltlichen"; but the House threw out both clauses altogether, a vote which, if sustained, will leave primary education to the Cantons, only giving power to the League to found other institutions for the higher education ("andere höhere Unterrichtsanstalten"), besides the Polytechnic School, which is, and the Federal University, which some day may be.

A point on which we believe we have not touched before is the restrictions on the practice of the Liberal professions which have hitherto existed among the Cantons. A lawyer or physician authorised to practise in one Canton cannot practise in another, except when he is allowed by *Concordats* between the Cantons. Lawyers, however, of any Canton may naturally practise in the Federal Court at Bern. Some of the proposals in the *Nationalrath* went towards making these professions absolutely free throughout the Confederation. But the resolution which has been come to by both Houses still leaves to the Cantons the power of licensing,

entrusting it to Federal legislation to deal with the question of making the cantonal licence good throughout the Confederation. Medicine, it is plain, must be the same everywhere; a man who is a competent physician at Geneva cannot be incompetent at Rorschach, and it was remarked in the course of debate that the restrictions on the practice of medicine tended to discourage the special study of particular branches of medical science. With regard to the lawyers, it has hitherto been argued that, as the laws of each Canton differ, a man who was learned in the law of one Canton might know nothing of the law of another. But, if the law is to be so largely unified as is now proposed, this difficulty will be pretty well taken away.

A curious question arose about gaming-houses and lotteries. Is their prohibition a constitutional matter? One would certainly be inclined to say, No; but then comes in the peculiarity of the Federal system, that, if a single refractory Canton chooses to tolerate establishments which are felt to be a shame to the whole country, it is only by dealing with it as a constitutional matter that the Confederation can put a stop to the evil. The gaming-house of Saxon in Wallis—in defence of which it has been ingeniously argued that only foreigners ruin themselves in it, while the natives gain by the foreigners coming—can therefore be got rid of only by the somewhat cumbrous process of a constitutional amendment. No new gaming-houses are to be allowed; no new leases may be granted to old ones; and lotteries are made subject to Federal legislation.

One of the points which in both Houses called for the longest debates and drew forth the greatest number of proposed amendments was the question of the *Ohmgeld*, a tax which some Cantons lay on wine and other drinks coming from other Cantons. Such a tax certainly seems to contradict one of the main principles of the Constitution, which abolishes all duties between one Canton and another, and removes its custom-houses to the frontier of the Confederation. The division on this point being mainly geographical, a question between the Cantons which grow wine and those which do not, some cross divisions naturally took place; and in the *Ständerath* M. Fazy was able to twit his opponents from the greater Cantons with being less zealous than usual in the cause of unification when unification touched their particular local interests. The end of the debate was that, after the *Nationalrath* had refused the immediate abolition of the *Ohmgeld*, the *Ständerath* added a clause for its abolition without any indemnity at the end of fifteen years. Several members however strongly objected to a compromise which they spoke of as being no abolition, but rather a re-enactment with greater authority.

We will not dwell on a crowd of financial questions which have no great interest out of the country, but will rather pass to the debate in the *Ständerath* on the great question of *Niederlassung* or *Établissement*. We explained the points at issue, and gave the result of the deliberations of the *Nationalrath*, in a former article.* The clauses as voted by the *Ständerath* differ in some points from the form in which they were sent up by the *Nationalrath*, but at this distance the differences hardly seem to be differences of principle. They admit the *étranger* to an equality with the hereditary member of the *Gemeinde* in all points, except any share in the enjoyment or control of the corporate property of the *Gemeinde*. In itself there is nothing to be said against this; it is no more than saying that Port Meadow at Oxford, the common property of the freemen of that city, should not be confiscated to the behoof of people who are not freemen. But when we remember how much wider the range of communal life is in Switzerland than anything at all answering to it in England, and how much larger is the—at least proportional—amount of communal property, it would not have seemed unreasonable if the *Ständerath* had adopted the proposal which we mentioned before as having been made in the *Nationalrath*, and which was again made in the *Ständerath*, according to which communal property would have to be honestly applied to public purposes, and not dealt with as a private hereditary estate. The whole communal system was strongly denounced by M. Fazy as the real hindrance to progress, and he did not scruple to liken some of the existing *Gemeinden* to the ancient oligarchies. M. Fazy no doubt spoke in the Romance tongue of his own Canton, but we are driven to quote him in a German version:—

Nicht die Kantone, wohl aber die Gemeinden, sind das Hinderniss zur freien Niederlassung. Sie bilden einen Staat im Staat und ist der alte Adel dort noch vorhanden, alle Missbräuche sind dort noch in Kraft.

In many cases this is no doubt historically true; the Roman patriate itself was probably in its first beginning a *Bürgergemeinde*.

When the *Ständerath* reached the dangerous ground of ecclesiastical controversy, its debates seem to have been somewhat less fierce than those of the *Nationalrath*. The House rejected a proposal to make the observance of Sunday obligatory by an article of the Federal Constitution. It may be remembered that to the old provision of the Constitution which shut out the Jesuits from the territory of the Confederation, a clause was added by the *Nationalrath* forbidding the foundation of new, or the restoration of dissolved, monasteries. In the discussion of this question in the *Ständerath* we again remark the union of most opposite parties in the defence of local rights against the spirit which is anxious to press its own particular convictions on all mankind. Herr Lusser of Uri spoke as a man of Uri, as a Catholic whose religion was

* *Saturday Review*, January 13, 1872.

* *Saturday Review*, January 27, 1872.

† See *Saturday Review*, January 13, 1872.

insulted, and whose religious liberty was infringed, by the proposed restriction. He proposed to strike out, not only the new provision against monasteries, but the old provision against Jesuits. From the other end of the Confederation comes the voice of M. Fazy in favour of things as they are. Jesuits he knows to be politically mischievous, and he will keep them out of the whole land. Of monasteries of other orders he has no experience. It is for each Canton to judge of them according to its own experience, not for the Confederation to enforce a common rule upon all the Cantons, to the infringement of their local sovereignty. This union of men reaching the same conclusion by widely different arguments carried the day, and the clause against the monasteries was struck out.

On the great questions of *Initiation*, *Veto*, and *Referendum*, proposals much the same as those sent up from the *Nationalrath* have been carried, some of them by narrow majorities, and after much vigorous speaking the other way. Above all stands forth the powerful speech of Dr. Dubs, whose eloquent wind-up seems to have carried his hearers beyond the bounds of Swiss parliamentary propriety, as it was received with "vielseitige Bravos." Nor can we wonder when a veteran statesman makes such an appeal as this:—

Wir haben 24 sehr glückliche Jahre verlebt, und sind dadurch vielleicht etwas zu tüppig geworden. Es können auch wieder andere Zeiten kommen, wo wir Alle einander bedürfen, der Grosse des Kleinen, wie der Kleine des Grossen. In diesen Zeiten hilft nur eidgenössische Liebe und eidgenössische Treue. Bauen Sie, meine Herren, kein Haus, von dem man sagen könnte: es ist zwar schön gezimmert, aber was darin fehlt, das ist das alte eidgenössische Recht.

The main point on which Dr. Dubs insisted was the *Ständevotum* or vote of the Cantons. If there was to be a *Referendum* at all, it should be, as it is in the case of a constitutional amendment, not only to the People but to the Cantons as well. Appealing to the experience of Switzerland and America as against that of France and Spain, he asserted that the only true Republic was the Federal Republic. The main principle of all was the equality of rights among the sovereign States which had joined to form the Confederation. He disposed of the cavil about one man of Uri counting as much as many men of Bern. It was not that a man of Uri counted for more than a man of Bern; whenever men's votes were counted, the vote of each counted equally; but when it was an affair, not between individual men, but between sovereign commonwealths, then, as a poor man counts for as much as a rich man, as a small state in the European commonwealth has the same rights as a great one, so in their capacity of sovereign Cantons Uri and Bern had the same rights. It was vain to argue that, because Cantons which had the *Referendum* in their cantonal affairs had handed over certain subjects to the Federal authority, it therefore followed that the *Referendum* ought to follow them into the Constitution of the League. When the Cantons had handed the matter over to the League, they had, as Cantons, nothing more to do with it; but on the principle on which it was argued that there ought to be an appeal from the acts of the Federal Assembly to its constituents, that appeal ought to be equally to the constituents of both Houses, to the Cantons as to the constituents of the *Ständerath* no less than to the people as the constituents of the *Nationalrath*. At the final voting the *Ständevotum* was thrown out by a majority of one only, the House dividing by 20 against 19.

While we are in the act of writing the English papers are beginning to be a little more liberal with telegrams on Swiss matters, and one piece of news is, that on the question of education the *Nationalrath* having adhered to its own decision, the *Ständerath* has come round to it and voted, by a majority of one, that primary education should be a matter of Federal concern. Another telegram is amusing. The *Nationalrath* has voted that the new scheme of the Constitution should be voted on *in globo*—that is, that the whole should be submitted to a single vote of Yes or Nay, instead of being voted on section by section. In one at least of the English daily papers this appeared as a vote that the scheme should be "published in the *Globe*." The *Globe*, it would seem, is looked on as the official organ of the Confederation.

THE ECCLESIASTICAL COURTS BILL.

LORD SHAFESBURY has described certain Bills which he has brought into the House of Lords as an attempt to make the Ecclesiastical Courts as cheap and accessible as County Courts. One of these Bills contained a provision that suits against clerks for offences against the laws ecclesiastical should be commenced, either by the bishop of his own motion, or by three members of the Church, being inhabitant householders of the diocese. The forcible argument and keen ridicule of the Bishop of Peterborough have already proved fatal to this Bill, but there is another Bill which has passed through Committee in the Lords, and will probably come down to the Commons, although it very inadequately redeems Lord Shaftesbury's promise of showing clerical sport to laymen. Indeed it is difficult to understand what object the author of this Bill expects that, in its present shape, it will answer. It repeals the Church Discipline Act, and it enacts nothing in its place. The right of laymen to prosecute clergymen for ecclesiastical offences will, after the passing of this Bill, have to be gathered from the law as it stood more than thirty years ago. If the rejected Bill had passed, a Jew

attorney, tempted to prosecute for the sake of costs, might have said that Lord Shaftesbury almost persuaded him to be a Christian. Such a Bill would so obviously have incited litigation that it is not wonderful that the House of Lords rejected it. On the other hand, the Bishop of Winchester brought in a Bill of much more moderate scope, which Lord Westbury inaccurately described as a proposal that a bishop should hold the door of a Court and let no one enter it without his sanction; and the consideration of this Bill has been postponed. It provided that the consent of the bishop of the diocese should be necessary to the promotion of a suit, and gave an appeal, in case he declined to give consent, to the archbishop. A system of free shooting is disliked by one party in the House, and the requirement of licences is disapproved by the other. And the result seems likely to be that the work which ought to be done by Parliament will be left in this, as in other cases, to be done by Judges, who will really make the law while professing to expound it.

The Church Discipline Act of 1840 provided that, in case of any clerk in holy orders being charged with any offence against the laws ecclesiastical, it should be lawful for the bishop of the diocese within which the offence was alleged to have been committed, on the application of any party complaining thereof, or of his own mere motion, to issue a Commission which should inquire and report to the bishop whether there was a sufficient *prima facie* ground for instituting proceedings against the accused. If they reported in the affirmative, and if the bishop of any diocese within which the accused held any preferment or the party complaining should think fit to proceed against the accused, articles should be prepared and filed, and the accused should be summoned to answer thereto. And it was provided that no criminal suit or proceeding for any offence against the laws ecclesiastical should be instituted otherwise than under that Act. It appears at first sight probable that the machinery of this Act would work as well as any substitute likely to be provided; but, however this may be, it is surprising to find this machinery abolished by the Bill without providing any substitute at all. The Church Discipline Act is, with an immaterial exception, repealed by the Bill, which puts nothing in its place. Lord Shaftesbury, in introducing the Bill which was rejected, represented it as a great restriction upon the existing rights of the laity. "It was supposed," he said, "that by the Church Discipline Act the rights of the laity to promote the Judge's office were entirely taken away. He never believed it was so. The issue had never been raised." It is clear, at any rate, that when this Act is repealed these rights, so far as it affected them, will revive, and the extent to which they exist and are practically available is likely to be elucidated by litigation. In reference to this point it may be useful to refer to a well-known case, in which Mr. Justice Wightman said that, "before the passing of the Church Discipline Act, the office of the Judge could not be promoted by private individuals for offences against the laws ecclesiastical without the previous leave of the Court." He quoted *dicta* of Sir William Scott that the previous leave of the Court is a part of the ecclesiastical jurisdiction, which is not to be exercised without discretion, or left entirely to the judgment or passions of private persons, and that the process of the Court is not to be refused in a proper case. Mr. Justice Wightman proceeded to say that it might be inferred from these *dicta* and from the text-books of practice in the Ecclesiastical Courts that, before the jurisdiction given to the bishops by the Church Discipline Act, there was some restriction upon the commencement of proceedings in the Ecclesiastical Courts for offences against the laws ecclesiastical, and that it was not a matter of course to allow the office of the Judge to be promoted by any private person who might think fit to institute a suit upon grounds entirely frivolous. It must however be admitted that it was said by an ecclesiastical Judge that, though application was always made to the Judge before a citation is issued in a cause in which his office is promoted, that is not for the purpose of considering the merits of the case, but to ascertain whether it is of ecclesiastical cognizance, and to test the fitness of the person to be made responsible for the costs to the other party. There were other cases which tended to show that, as the ecclesiastical law stood before the Church Discipline Act, there was no discretion in the Court as to permitting or refusing to permit the office of the Judge to be promoted upon any preliminary consideration of the merits in the case of a charge of an offence against the laws ecclesiastical. We have followed almost the exact words of Mr. Justice Wightman's judgment, in which, nearly twenty years after the passing of the Church Discipline Act, he examines two conflicting views of what the law was before that Act passed, and comes to the conclusion that a good deal may be said and much authority adduced for either view. After the lapse of more than another ten years, in which thicker dust has accumulated upon the precedents cited by Mr. Justice Wightman, it is seriously, or perhaps thoughtlessly, proposed that the questions which he could not satisfactorily settle should be again agitated under circumstances which would compel some settlement to be arrived at. The inclination or caprice of a Judge, the artifice of counsel, or mere accident, may decide that upon which Parliament ought to have declared its mind in the present or in some supplemental Bill.

In order that we may not do injustice to this remarkable project of legislation, let us go methodically through its clauses. It proposes to enact (s. 22) that, subject to the provisions of the Act, every provincial and diocesan Court shall have power to hear and determine all questions relating to breaches of the laws ecclesiastical, suits for faculties, suits of duplex querela, to the like

extent that such Courts now possess. It further proposes to enact (s. 32) that, subject to the exceptions in the Act contained, no jurisdiction with respect to the correction of clerks in holy orders who may be charged with any offence against the laws ecclesiastical, or concerning whom there may exist scandal or evil report as having offended against the said laws, nor in suits involving any question concerning doctrine or the due administration of the sacraments and other rites and ceremonies of the Church, nor in any other suits in the Ecclesiastical Courts, shall be exercised by any Court or person except as mentioned in the Act. And, further (s. 34), a suit against any clerk accused of any offence concerning the doctrine, worship, discipline, or government of the Church may be instituted in the Court of the diocese wherein either the offence is alleged to have been committed, or the accused clerk has any ecclesiastical preferment, or is resident. And, further (s. 50), a suit shall be commenced in the provincial or diocesan Courts by filing a petition signed by counsel, and by serving the defendant with a copy thereof; and (s. 51) the petitioner shall make an affidavit that there exists no collusion between himself and the defendant, and that he believes the allegations contained in his petition are true. These appear to be all the clauses of the Bill that are material to our present purpose, and it is remarkable that the provision (s. 50) that a suit should be commenced by petition, being quite general in terms, would seem to indicate that any person, Churchman or Dissenter, resident or not in diocese or parish, might take proceedings. This, however, cannot be the meaning of this Bill, because, if it were, the other Bill would have been unnecessary. That Bill, as we have seen, provided that suits should be commenced "by three members of the Church, being inhabitant householders of the diocese," and that Bill has been rejected. The clauses 50 and 51 of the present Bill appeared in the original draft of it, while the companion Bill had still a possibility of becoming law. They remain in the Bill after it has emerged from Committee of the whole House, and after the companion Bill has been numbered among the things that were. The Committee included the Chancellor and two ex-Chancellors, and yet it has produced a Bill which any Parliamentary draftsman ought to be ashamed to send out of his chambers. A suit may be commenced by petition, but who may commence a suit? The Bill repeals the Church Discipline Act, and apparently revives the old law expounded by Mr. Justice Wightman in the judgment to which we have referred. The draftsman who framed these clauses supposed that they and the other Bill would become law at the same time. That Bill is defunct, and the clauses seem likely to pass the House of Lords. Can anything be more bewildering?

An important observation arises upon the clause (s. 32) which purports to transfer jurisdiction with respect to clerks "concerning whom there may exist scandal or evil report" to the Courts or persons mentioned in the Act. This jurisdiction cannot be transferred unless it exists. And the effect of the Bill would be to make it non-existent. We must again refer upon this point to Mr. Justice Wightman, who has said that the office of the Judge could only have been promoted in the case of some direct and positive charge of an offence against the laws ecclesiastical, and no proceeding upon the ground of the existence of scandal or evil report of having offended against these laws would have been admissible under the old law. Such proceeding was made admissible by the Church Discipline Act; but that Act is repealed by the Bill. It may perhaps be contended that the jurisdiction which purports to be transferred is by implication created; but penal legislation ought not to be conducted in such a loose way. There are minor defects in the Bill which indicate that the Chancellor and the two ex-Chancellors did their work rather carelessly. Thus we find (s. 27) that, in case of appeal, a report of the evidence, "with the summing-up of the Judge," shall be transmitted to the superior Court. These words evidently had reference to certain clauses providing for trial by a mixed jury of clergy and laity which have been struck out. We rely, however, upon the principal objection, which we have fully stated. If this Bill does authorise laymen to prosecute clergy, the other Bill and the debate and division on it were all nugatory. If this Bill does not authorise laymen to prosecute clergy, then, as it repeals the Church Discipline Act, it proposes a sort of "as you were" back to the law of thirty years ago, which is an absurd conclusion. There is a clause which we had overlooked, which rather seems to favour our suggestion that a Jew attorney might be tempted by the Bill to become Christian. A party to any suit under the Act (s. 104), or, if retained on behalf of either party, serjeants-at-law and barristers-at-law, may appear and practise in the Ecclesiastical Courts with all the rights that they possess in the superior Courts. We never heard of a "party" practising in Westminster Hall unless he was an attorney. We are almost tempted to fancy that this Bill was settled, not by three law lords, but by the three old women mentioned by the Bishop of Peterborough as possible prosecutors under the other Bill. The House of Lords refused to allow three old women to do that which, if this Bill is to have any effect, may be done under it by one old woman. The principal effect, however, of such a Bill must be to supply work for that meritorious class the lawyers, who ought to be greatly obliged to Lord Shaftesbury for sowing a plentiful crop of litigation. We would undertake to point out many grotesque errors of detail beyond those already indicated; nor is there any limit, except that of our own

space, to the adverse criticisms which might be made upon this extraordinary example of how to put the wrong word in the wrong place.

REVIEWS.

FROSSARD'S CORPS IN THE LATE WAR.*

VERY much has been said out of France in condemnation of the readiness shown by French officers to rush into print, and display their own errors in the most palpable light in the effort to repair broken reputations. This course is nothing new, as all will remember whose fate it has been to trace the history of such former French disasters as those of Moscow and Waterloo. But the complaint against such writers is surely hardly fair. There is always a tendency after a very unsuccessful campaign to fix the special cause of the miscarriage upon some minor actor without strict regard to truth. Grouchy's case at the hands of the great Napoleon and his admirers is a signal example of this unfairness. And there really is no manner of reason why a subordinate who finds himself unfairly charged with the consequences of his superior's errors and shortcomings should not come forward to tell the truth in his own justification when the campaign is over, and when peace, accompanied too probably with loss of employment, has freed him from the professional subordination which tied his pen before. It may be in some cases a positive duty to history that he should do so. Had Grouchy gone down silent to his grave, that grave would have been dishonoured for ever, and history have suffered one of the grossest falsifications which have ever been wilfully employed for the distortion of facts. And if the writer be really guilty as charged, his own evidence will, as in the case of that attempted exculpation of De Failly's which we had occasion some time since to expose in these pages, be inevitably the means of more thoroughly condemning him.

We have taken up the work of General Frossard, therefore, in as impartial a spirit as we can bring to bear on it, and shall go as directly as possible to the portion of his narrative that is specially devoted to the catastrophe of his defeat at Forbach, which, coupled with MacMahon's rout on the same day, so shattered the morale of the Army of the Rhine as to throw it at once on a dangerous, and as the event proved most disastrous, defensive. Frossard's reputation we conceive must for ever stand well or be condemned by his conduct at this crisis, for his after share of events in the army of Bazaine was so entirely that of a minor actor as to leave him no practical responsibility.

But before the sharp test of Forbach came the unreal and childish show of war at Saarbrück, which has more than any other circumstance of this unfortunate war thrown contempt on the fallen Emperor who permitted it. It was Frossard's corps that was engaged, and his name has therefore been freely handled in connexion with this paltry business. We are bound to state that the exculpation he offers is both clear and complete. The movement of his corps on to the hill overlooking Saarbrück was but part of a general advance directed by Lebeuf of the IInd, IIIrd, and IVth Corps, Bazaine being for the occasion vested with the charge of the whole operation—a fact foreshadowing his subsequent elevation to the command that has proved so disastrous to his name. Frossard's corps it was that being the more advanced, drove in the Prussian skirmishers at Saarbrück, and shelled the station beyond; but, so far from his having prepared the theatrical skirmish that the poor young Prince might have "his baptism of fire," Frossard shows that he had no reason that very morning to expect either Emperor or Prince to appear in his lines. We may add that his former connexion with the Imperial household as governor of the heir of the Bonapartes has no doubt tended to give consistency to the erroneous belief that the skirmish at Saarbrück was a show prepared for his former charge.

There is another charge against him arising out of the same event which is even more easily disposed of. This relates to an alleged bombardment of the open town of Saarbrück when the Prussian outpost—for it was no more—was driven back on the 2nd by the advance of Frossard's corps just spoken of. A good deal of nonsense has been written on this point, and the conduct of the French general has been even spoken of in the German reply to M. de Chaudordy's famous complaint of Prussian barbarity, as an excuse for the bombardment of French open towns. "Il est à la connaissance de tout le monde," are the words, "que l'armée française a commencé la campagne en bombardant Sarrebrück." General Frossard states that the place was neither bombarded nor even threatened with bombardment, since during the four days that the French guns overlooked it, their fire was never directed on anything but the station (which stands quite out of the place, on a hill beyond) and on the trains passing near. We are able to confirm this defence from personal observation, having searched the whole town for the traces of this alleged bombardment not long afterwards, and failed to discover them. On both these heads, therefore, the late chief of the IInd Corps, and ex-governor of the young Prince, deserves acquittal.

The more serious blot which has hitherto rested on Frossard's name concerns the events of the 6th, the day of the combat for

* Rapport sur les Opérations du Deuxième Corps de l'Armée du Rhin dans la Campagne de 1870. Par le général Frossard. Paris: Dentu.

the heights of Spichenen, now generally known as the battle of Forbach. The General's narrative of this struggle is laboriously detailed and very clear, and we have no hesitation in saying that whoever reads it carefully will not fail to acquit the writer of the chief share in the discredit which has hitherto attached to him as the immediate commander of the corps engaged. The story which credulous Correspondents have picked up from French runaways and other untrustworthy sources, had represented Frossard as completely surprised in his position between Saarbrück and Forbach by the columns of the First and Second German Armies, converging on the former point. It has further been usually represented that his command was an independent one, that Bazaine's corps lay close by him, and that he put off sending for the succour which would bring upon the ground a senior officer to himself until it was too late to save his apparently strong position from being turned and carried, and his corps not only routed but forced off its line of retreat, and separated from the rest of the French army. Once inquired into, these charges are found destitute of the most moderate foundation, and we are brought direct to the conclusion that the special writers of English and other journals have to answer for a vast quantity of rubbish heaped up over the true story of the French disasters, which it will cost the true compiler of history much pains hereafter to get rid of. So far from Frossard's having this utterly fictitious independence of Bazaine, a telegram sent to the former at 1 P.M. the day before from the Imperial head-quarters, placed him under the direct orders of the Marshal, Ladmirault's IVth Corps being similarly treated. Leboeuf, who had hitherto fumbled at the strings of each corps separately, had apparently become alarmed at the increasing strength of the reports which told of the German concentration, and in his fright was endeavouring—too late—to get rid of the system of dissemination hitherto kept up on the frontier, one chief reason of which had probably been the fear of making any of the chief generals too prominent. Bazaine, assuming his new charge officially in the evening, called for the ordinary reports from the other corps, and learnt that Frossard had, whilst still independent, begun a retreat from his exposed position near to Saarbrück, and thus had already neared the other corps. The Marshal kept his head-quarters at St. Avold, fifteen miles behind Forbach, as a central point to the three corps he now directed. For the fact that the affair of the next day fell entirely upon a single one, he and not Frossard must bear such responsibility as does not fall upon minor actors. It was not certainly from want of information that his lieutenant was left by him unsupported.

A fresh telegram from Metz, arriving during the night, ordered Frossard to meet the Emperor at a council of war the following afternoon; but the fatal day of the 6th began with a counter-order putting off this intended meeting, and giving the General the reason of the change, couched in the plain words:—"Tenez-vous prêt contre une attaque sérieuse qui pourrait avoir lieu aujourd'hui même." The fact of this message being sent direct to General Frossard, although he was now under the command of another by the Imperial orders, shows that Leboeuf or his master could not altogether refrain from interference in the newly-formed army. Bazaine himself, however, was nearer to Metz than the IInd Corps, with the telegraph line to the latter running through his head-quarters, so that the warning conveyed from Leboeuf was doubtless communicated to him, and he might have at once, had he so chosen, made preparations for reinforcing his subordinate against that "serious attack" which was so plainly predicted.

Bazaine, however, took no such precaution. By 9 A.M. the Prussian batteries had appeared before the Spichenen heights and engaged Frossard's artillery. That general at once telegraphed the fact to his superior at St. Avold, asking the support of Decaen's division, which he knew to be the nearest of those of the IIIrd Corps, and of a brigade in addition to cover his right towards Sarreguemines. At 10 A.M., having had no reply, he telegraphed to Bazaine that the action engaged would prove to be no less than a battle, and presently he received a reply to the effect that two divisions would move on Bening and Theding, points twelve and ten miles from the Spichenen plateau. "I cannot do more," added Bazaine, "having but a small force to hold the position of St. Avold;" and he went on to recommend General Frossard to detach a brigade, "and even more," to watch the road from Sarrelouis, by which his left might possibly be turned. Poor Frossard was far from being in a position to make detachments when this answer reached him about noon. The Prussians were attacking the spur of the bare heights sharply, though the brigade there had partly entrenched itself; they were swarming in the woods on the plain to the French left, pressing their right forward in the direction of Forbach; they were making attack after attack on the French right, where the Spichenen hill trending southward over the village of St. Arnual is faced with wooded slopes favourable to skirmishers. Frossard was now obliged to bring the reserve of his own corps into action. He telegraphed repeatedly how severe the pressure on him was, and received replies to the effect that a third division was ordered to his support besides the two already mentioned. Frossard looked for them anxiously and in vain. About 4 P.M. a brigade of Bazaine's dragoons reached Forbach, where cavalry was the only arm not needed, and, as they cumbered the St. Avold road required for the ambulances, were ordered out of the way. At seven the Prussians had carried the wood on the French right, established their line of skirmishers on the crest of the Spichenen heights, and made a still more formidable lodgment in Frossard's original line along the plain towards Forbach. Moreover they were being rapidly

reinforced. Meanwhile not a battalion of Bazaine's corps had appeared. The French troops had fired away all their ammunition, and had had no meal. It was a foregone conclusion that Frossard should avail himself of the darkness to retreat from a position which was untenable by his corps unaided, and where he received no support from his chief.

The sole remaining question to solve is, what became of the three divisions of Bazaine's which were to have aided him. General Frossard traces their movements from hour to hour, and shows clearly that in each case there was a hesitation and uncertainty chargeable to the divisional commanders themselves more than to any complete default of orders from Bazaine. He declines, therefore, to make any direct charge against his late chief, and imputes the want of readiness to the vague apprehensions entertained of Prussian attacks from other directions. In fact each division general appears to have expected to see the enemy on his own flank, and to have thought little of the duty of helping others. The uncertain and purposeless cross marches they had suffered at Leboeuf's instance for a fortnight before had infused timidity into the whole staff. And, like Bazaine, when he suggested Frossard's detaching "a brigade or more" in the very middle of the battle, they selfishly underrated the danger to which he was exposed. The whole story suggests a degree of imbecility rarely matched in military annals.

General Frossard's soldierly narrative is singularly confirmed by a loosely written, but not altogether despicable, account put forth by an artillery officer of the IIIrd Corps, under the sensational title of *L'Agonie de l'armée du Rhin*. We have only space for this writer's criticism on the events of the day, which we now give in his own words:—

Our divisions were posted at four different points, in motionless expectation of an imaginary enemy. Each of them was within reach of the battlefield, and heard the cannonade all day without the least suspecting the result. If Marshal Bazaine was obliged to scatter his divisions to guard various approaches, or to supply them more easily, had he not the power or had he not the will to make one of them march on the point where the guns were firing? This question will be without doubt answered some day.

The writer penned these words from his captivity in Germany, before Frossard had published the narrative which answers his interrogatory for the greater part with clearness, and which leaves on us the general impression that at this juncture the French higher staff officers were thoroughly deficient alike in foresight, energy, and unselfishness.

HISTORY FOR THE YOUNG.*

THE first of the three volumes before us, having been out for some years, is probably by this time well known to the public, or to that part of it which is engaged, as the circulars say, in "the education of youth." The second, *European History*, is simply an extension of the plan of the first. For the benefit of the few who may not already be acquainted with the *Historical Selections* by Miss Sewell and Miss Yonge, both of whom have done much in their day towards rendering history attractive to children, we will explain that they are simply an improved book of extracts. As everybody knows, there is nothing in this world duller than a universal history, where all explanation, detail, and picturesqueness have to be sacrificed to the necessity of getting the facts into reasonable compass. On the other hand, such a book as Lord Macaulay's *History of England*, or Dean Milman's *Latin Christianity*, is obviously not well fitted for school-room reading, on account of the length at which it dwells upon one particular period or subject alone. In short, in the compilers' words, "the former course is usually found to render the study of history uninteresting. The latter (although the works themselves are fascinating) is unsatisfactory, because it is not sufficiently comprehensive." The plan which Miss Sewell and Miss Yonge (we are sorry to have always to speak of them in this awkward dual fashion, but as they have intertwined themselves like Beaumont and Fletcher or Erckmann-Chatrian, there is no help for it) have devised for supplying the deficiency is to make extracts from standard histories and connect them by a thread of intermediate sketches which give a general idea of the period treated of. Thus passages taken from Gibbon, Sir Francis Palgrave, Deans Milman, Hook, and Church, Mr. Freeman, and other writers, who are authorities on their own subjects, are arranged chronologically, and so form a kind of continuous patchwork of history. The abruptness and want of connexion which generally characterize a book of extracts are avoided by the narrative supplied by the compilers, and by the judgment with which the selection is made. That the writers drawn upon should in all cases be of equal celebrity is of course impossible, if the work is to be in any way continuous. If no first-rate writer happens to have treated the particular subject required, a second-rate one must serve the purpose.

Neither can the compilers be held answerable for every state-

* *Historical Selections*. A Series of Readings from the Best Authorities on English and European History. Selected and Arranged by E. M. Sewell and C. M. Yonge. London: Macmillan & Co. 1868.

European History. Narrated in a Series of Historical Selections from the Best Authorities. Edited and Arranged by E. M. Sewell and C. M. Yonge. II. 1083-1228. London: Macmillan & Co. 1870.

Richard the First and the Third Crusade. A Book for Young People. From the French. By the Rev. Charles Forge, Oxon, Belmont House, St. Leonards, Sussex. London: Wyman & Sons. 1870.

ment or opinion of the authors made use of, though we think that, in the instance of Roscoe's account of the Battle of Hastings, a note might have been appended with advantage. Gyrth was not, as Roscoe states, "Earl of York," but of the East Anglians, the Northumbrian earldom being held by Morkere. It might also have been explained that the absence of cavalry in the English army, which, according to Roscoe, "has been pronounced a capital error on the side of Harold," was scarcely Harold's fault, unless it is held that he ought to have made a complete and sudden change in the tactics of his nation. That most unadvised of innovators, "Timid Earl Ralf," had some ten years earlier tried the experiment of making the English "contra morem in equis pugnare," the result of which had been the ignominious flight of Ralf and his whole army.

The majority of the selections, however, are from first-rate modern writers. Mr. Freeman supplies a general account of England before the Conquest; Deans Hook and Church have furnished the histories of Lanfranc and Anselm, the two great foreign ecclesiastics who did so much for Rufus and for Henry in their struggles against Robert and the purely Norman party. From Sir Francis Palgrave has been taken the history of Queen Margaret's attempts to civilize or to Anglicize the Scots—a particularly well chosen passage, as it clearly explains what Scotland really then was, and what it afterwards became. The compilers utter a gentle protest against the severity of his strictures on the efforts of Margaret, whose chief errors, after all, proceeded from not acting in accordance with the maxim, *surtout point de zèle*. From him, too, has been taken the powerful, but somewhat overwrought and sensational, account of the death of Rufus. The more recently published volume *European History* contains amongst other things an abridgment of Professor Stubbs's preface to the *Gesta Regis Henrici Secundi*. This furnishes a good example of the way in which a collection of extracts like the present may be useful. The *Gesta* is not the sort of book generally to be found in school-rooms or drawing-rooms, and therefore the fine essay on Henry II. prefixed to it would otherwise be likely to be lost to ordinary readers. A full chronological index and a table of contemporary Sovereigns add to the usefulness of this second volume.

To those who are familiar with the works laid under contribution the interest of these two books lies in the original matter, which is thoroughly good historical writing—quiet in style, fair in tone, and free from all sentimental weakness. For example, there is none of the common lamentation over the Norman Conquest. No patriotically inclined English reader, we suspect, but at the bottom of his heart dislikes hearing that men of his own name were conquered by Normans, or, as the Chronicle still more painfully puts it, "French." The misleading, though convenient, term of Anglo-Saxons is agreeable in so far as it softens the unpleasantness of the transaction; but unless, with the cheerful poet who composed "The Tigh Little Island," we regard Duke William's invasion as a testimony to the charms and advantages of England, the fact of the Conquest still remains unpleasant to the ordinary English mind. But the compilers of the *Historical Selections* have taken care to point out what is forgotten in the popular view of the subject, that it was the infusion of Norman blood and spirit which gave the energy and vigour to which we now lay claim. The following description of the pure English race, unalloyed by Dane or Norman, deserves quoting for its terseness and general truth:—

Sturdy and resolute, with great natural capacity and a deep sense of the poetical, but lacking energy and enterprise, the English of that period had honesty, but not honour; strength, but not spirit; pride, but not enthusiasm; intellect, but scarcely vigorous mental life; while sloth and sensuality hindered the exercise even of the powers which they possessed. True-hearted but uncouth men, with great faculties, unavailing because never roused: such they were, and such in all human probability would they have remained but for their enemies.

But whilst such stern justice is dealt out to the old English, the Normans are somewhat tenderly handled. William certainly cannot be accused of treating his countrymen with weak indulgence, but his impartiality mainly sprang from a determination to be master in his own dominions. It might be pointed out that in one quality—mercy—the Normans were markedly inferior to those they conquered. That frightful cruelty which reached its climax in a De Belesme or a Fitz-Hubert, tearing out the eyes of child hostages, torturing and impaling prisoners of war, is hardly conceivable in a man of the pure English race, which has at all times been brutal rather than positively cruel. To the epithet of "chivalrous" the Normans are undoubtedly entitled, and their chivalry fostered a spirit of enterprise, and occasionally prompted actions of fitful generosity. But they had not much of the character which people trained on Tennyson's poems would attribute to chivalrous heroes. In real life, the elements of good in early Norman chivalry were almost counterbalanced by the heartless contempt with which its disciples were taught to regard men of meaner rank; and the ruffianly barons who turned England into a Pandemonium during Stephen's nineteen years of anarchy do not speak well for the system under which they had been reared. Norman chivalry required to be blended with the English respect for law and spirit of freedom before its brighter side appeared. Its glory is a kind of after-glow. That, when its sins and follies had died away, its ideal continued to influence men, and gave form to the great poem of Spenser, is the best proof how much real good was in it. That the present authors, however, are not led away by the glitter of romance, or by reminiscences of the Waverley Novels, is shown by the sketch they give

of that boasted hero of chivalry, Richard Cœur de Lion. Instead of the Richard of the *Talisman* and *Ivanhoe*, of Blondel and Robin Hood, the Richard against whom

The aweless lion could not wage the fight—

in short, the legendary Richard—we have a plain unvarnished account of the bold Angevin who is commonly looked upon as an English hero:—

Chivalry and romance have given a charm to Richard's character which it is to be feared would be found to vanish on nearer investigation. Generous he was undoubtedly, and brave even to rashness; but his ambition was selfish and unjust, and his temper uncontrollable; and though many of his faults may be attributed to his early education, and under better influence and in happier times he might have proved himself a sovereign of no ordinary stamp, he certainly cannot be said to deserve the enthusiasm which is so often lavished upon him.

The careful distinguishing of the Angevin princes from the Normans, with whom they are usually confounded, is also a praiseworthy feature.

The remaining work on our list, *Richard the First and the Third Crusade*, by the Rev. Charles Forge, Oxon, is vaguely stated to be "from the French," of which the assertion that "all Frenchmen wish to give their country its natural boundaries" is internal evidence. We presume, however, that the solemn advice printed on the fly-leaf is Mr. Forge's own:—

TO MY PUPILS.

HISTORY IS PHILOSOPHY teaching by Examples.

Read History.

BIOGRAPHY IS HISTORY speaking by Examples.

Read Biography.

Avoid Sentimentalism and Sensationalism; they are weak.

Read Sir Walter Scott's Historical Novels; they are unsurpassed.

Read Cooper's; they are delightful.

But read Novels only as a refreshment after your severer studies.

But after reading this sound advice one would not expect to find Mr. Forge, or his French original, falling back upon the pages of the *Talisman* for a description of Queen Berengaria—a description, too, which mainly refers to the part enacted by the Berengaria of the novel. When Scott wrote that "she gambolled with the freedom of a young lioness, who is unconscious of the weight of her own paws when laid on those whom she sports with," he was thinking of the cruel trick she is made to play Sir Kenneth, upon whose fictitious misfortunes the plot of the *Talisman* turns. But the woes of Kenneth and Edith are unknown to history, and a passage constructed with reference to them is out of place in an historical work. Another remark which occurs on glancing over this book is that the first business of a translator has been imperfectly discharged. "Saxe" is not English for Saxony, nor "the Gallois" and the "Pays de Galles" for the Welsh and Wales; "his fiancée" would have been better rendered by "his betrothed," and the "abbés" who are represented as figuring at the coronation of Richard should have been abbots. To say that Matthew Paris styles the patriotic Londoner, William "le Barbu," is likely to give a false impression that Matthew wrote in French. The original *Willielmus dictus Barbatu vel Barba*, should have been preserved, or else translated into English. And we may add, by the way, that the only son of Henry I. was not Henry, but William. As for the composition, it is careless throughout, and Mr. Forge's pupils, it is to be feared, will hardly learn a good English style from such an example as the following:—

His hand on his sword, Richard, who had already received at Tours the sign of a crusader, when he was apprised of the fall of Jerusalem, burned with indignation against the Mussulmans guilty of such crimes, and swore a second time to cross the seas and bring them to punishment.

Neither do we much admire the description of Richard's personal appearance: the privilege of talking nonsense about their heroes' eyes ought to be confined to novelists:—

His eyes flashed fire in the transport of his passion, and in the excitement of the battle-field; but in the sweet intercourse of private life that terrible expression gave way to one altogether irresistible and seductive, and love and affection melted from their azure depths.

Richard's character, however, is more fairly treated than might be expected from a writer who discourses on the azure depths of eyes. He relates, with no attempt at palliation, the quarrel with the French knight Des Barres, an affair in which Richard, despite his lauded chivalry and generosity, showed how childishly malevolent he could be when his vanity was hurt; and the King's rapacity and unscrupulousness in sowing money out of his people are not disguised. But the book, if with no glaring faults, and with some merits, is too poor in style and composition to be accounted a successful work.

GRAY'S BIRDS OF THE WEST OF SCOTLAND.*

THERE is something in the thorough knowledge and ardent love of a subject which may be trusted to preserve a writer, however technical or limited may be his task, from dullness or lack of general interest. It might have been feared that the work of a professed ornithologist, limiting himself to a narrow and out-of-

* *The Birds of the West of Scotland, including the Outer Hebrides.* By Robert Gray, late Secretary to the Natural History Society of Glasgow, &c. Glasgow: Murray & Son. 1871.

the-way province of the British Isles, would be about the last theme wherewith to make a readable volume. Yet, precise as Mr. Gray shows himself in his treatment of natural history, and heedful as he is throughout of what is due to the requirements of science, he is nowhere open to the charge of dryness, nor can it be said that the interest of the general reader has been sacrificed on the altar of pedantry. His intense sympathy with the feathered races which he has made the study of his life finds vent in a certain warmth of description of which the reader can scarcely fail to catch the glow. Grave and measured as he is in style, he can rise to pathos in depicting the wrongs done to his favourites and companions by the cruelty, the greed, and the ignorance of mankind. We are moved to mourn with him over the extirpation which has befallen or which speedily threatens many a noble or curious breed; and greatly should we share his joy if our voice might perchance reinforce the plea which he feelingly puts in for mercy and care towards the varieties which still exist, as well as for an intelligent and loving study of what forms one of the leading wonders and charms of creation. It is not the ornithologist alone who will deplore the almost total disappearance of the golden eagle, whose very presence, as our author justly urges, gives a character to much of the finest scenery in Britain. Subjected to a relentless persecution which makes it a wonder that the bird should have survived at all, the Western counties and islands form now its only resting-place in the breeding season. On all the outer Hebrides the true golden eagle—*Aquila chrysaetos*, the "Iolair dhùb" of the Gael—is still a well-known denizen, and from Barra Head to the Butt of Lewis Mr. Gray was enabled to trace many an eyrie during the breeding months of 1867. On North Uist there were two eyries last year; one containing but a single young bird, which was unluckily within too easy reach of the cragsman to be let alone, but which Mr. Gray found thriving fairly well in captivity. In the islands of Lewis and Harris the birds are best known where the scenery is grandest. On Benbecula, where they are frequently seen, there are no eyries; but on the next island, South Uist, one is found every year on Mount Hecla. Thither the old birds, "the King of Hecla" and his mate, may "be seen almost daily carrying with their strong talons a young lamb each to their eaglets, the shepherds of Skye breathing vengeance against the pride and pest of the parish." True to its name, the Iolair dhùb of the Western Isles is blacker, while smaller in size than those of the mainland—a difference of bulk due, in Mr. Gray's opinion, not so much to comparative scantiness of food or hardship of climate as to specific variation in nature, traceable equally in certain allied birds of California and Texas. Many anecdotes of the predatory habits, the powers of flight, and other characteristics of these splendid but now rare birds have been brought together by the writer during the twenty years which he has spent in executing his design, traversing repeatedly the entire coast-line of Scotland, besides making almost every variety of woodland and moorland so many observatories of the manifold phases of bird life.

Supplementing his own observations by a careful and extensive course of reading, Mr. Gray has made his volume a kind of repository of all that has been added to this branch of ornithology since the labours of Sir William Jardine, Professor Macgillivray, and Mr. Selby. With the study of the records left by the older Scottish writers, more or less scientific, he has joined the personal inspection of nearly all the collections of birds, public and private, throughout Scotland, gaining thereby the advantage of putting to the test the accuracy of previous descriptions. He has thus been enabled to correct sundry prevalent errors, though, in justice to the soundness of earlier or still popular impressions, room must yet be left for possible changes in the physical conditions of life. Thus, birds like the Grey Shrike (*Lanius excubitor*), Great Spotted Woodpecker (*Picus major*, or "Snaagan darach" of the natives), and Shore Lark (*Alauda alpestris*), formerly represented as rare, have been found by Mr. Gray to be now almost regular winter visitors in great numbers and scattered over a wide tract of country, although making their first appearance in the North-eastern district of Scotland; while the Hobby (*Falco subbuteo*), Wryneck (*Yunx torquilla*), Tree Sparrow (*Passer montanus*), and some other species, formerly looked upon as mere stragglers into North Britain, are now known to extend their breeding stations even to the westernmost counties. On the other hand, not a few species recently announced as new to Scotland are shown to have been familiar to older authorities. In Don's *Fauna of Forfarshire*, for example, several species, such as the Red-backed Shrike (*Lanius collurio*), Nuthatch (*Sitta europæa*), and others are catalogued as being well known in the county as far back as the opening of the present century. The observations of friends, whether naturalists by profession or amateurs in science, have been of especial use to our author in completing his notices of the migratory birds, recording their seasons of advent and disappearance, with the range and nature of their haunts. One of the most interesting birds of Scotland, which, from being comparatively common, has become, with the exception of the kite and goshawk, the rarest of all, is the Osprey (*Pandion Haliaeetus* or *Iolair uisg*). It has even been denied of late that the osprey now breeds anywhere in Britain. Mr. Gray has had the satisfaction of finding that there are still three or four breeding stations of this bird in Rosshire, which are strictly protected. Another station, the most southerly, is in Wigtownshire, while both in the counties of Kirkcudbright and Inverness eggs have been taken within the last three seasons. Mr. Gray has seen young birds

recently trapped, in a poulterer's shop in Glasgow, and he remembers the bird fishing in Loch Awe and Loch Dee, though not of late years. From Inch Galbraith on Loch Lomond, from Loch Marce, as well as Loch Awe, Loch Menteith, and other former haunts, the osprey has disappeared, save that a stray bird may be seen at times hovering in the neighbourhood of the islets where the nests were found of old. It is but a rare straggler to the Outer Hebrides, a solitary specimen having been taken at Barra, and in Islay it is extremely rare. The most recent instance of its being met with in the mid-districts of Scotland was in October 1868, on the river Carron, between Falkirk and Larbert, where, after eluding a host of enemies during six days, it was shot with a perch in its clutch. Mr. Gray's opinion concurs with those of most other competent naturalists that there is no specific distinction between the British osprey and the *Pandion Carolinensis* of North America, or the allied birds of Asia and Europe in general, although the eggs of the American species seemed to him invariably richer in colour.

That the falcon tribe should have become comparatively rare of late years is to a great extent accounted for by the disuse of trained birds of this class for the purposes of sport. As a natural enemy of the farmyard and preserves, it could hardly survive the withdrawal of the artificial shield of protection. Representatives of the leading species are, however, still to be met with in the more out-of-the-way districts. Although a rare bird, the Gyr falcon, better known as the Greenland falcon (*Falco candicans*), is frequently seen both by sportsmen and naturalists, chiefly on the Western coasts of the Hebrides, but even in Aberdeenshire, and as far South as Scarborough. The Iceland falcon, or Labrador falcon of Audubon, is by no means uncommon; and even the Peregrine, *Sheabhadh*, though subjected to an extraordinary amount of persecution, still holds its ground in the tracts where it has been well known for centuries, and may be called a common bird from Burrow Head to Cape Wrath. It abounds in all the Western isles. On the mainland the ravages of keepers and collectors have grievously thinned its numbers, and deserted eyries are to be widely seen. Compared with the Hebridean peregrines, those of the mainland are comparative pigmies; but differences of mere size, in the opinion of the best naturalists, are not to be taken as proofs of the deterioration of species. Whether in America or elsewhere, there is—as Mr. Gray is supported in thinking—no real specific difference between *F. peregrinus*, *F. anatum*, and *F. nigripes*. Our author's partiality to this beautiful bird leads him to defend it from the charge of cruelty in killing more than its needful prey—striking down birds and leaving them dead, without further touching them. But even the anecdotes which his own note-books supply weaken sadly the case for the peregrines against the sportsman as to their being "too generous to imitate man in killing what they do not require." Of the Red-footed Falcon (*Falco rustipes*), Mr. Gray is happy in introducing to the public the only specimen which he knows to have been met with in Scotland. This singularly rare bird—a full-grown hen—was shot in Aberdeenshire, though it is by no means so uncommon in South Britain. Its stomach contained beetles, from which it may be inferred that, like many of its congeners, it is not so destructive of game as many preservers imagine. The Merlin, or Seag, *Falco aesalon*, a courageous little bird, is widely distributed throughout Western Scotland, including the Hebrides. Its habits are social, leading it to haunt the church towers, gables, and chimney tops of large towns, partly in pursuit of casual prey. Two birds came into Mr. Gray's hands which had been captured in Glasgow as black as sweeps from having haunted the chimnies after the pigeons and sparrows that doted there for warmth. The habits of the Kestrel—*Falco tinnunculus*—by far the commonest of the raptorial birds of West Scotland, are less interesting in the eyes of the naturalist. All that is new in Mr. Gray's observation of it is its being partly nocturnal in its flight, he having seen it on the heugh-heads near Dunbar, about nightfall, snatching at ghost moths and large beetles as they hovered above some grassy patches near the edge of the cliffs. Of the terror inspired by the eagle-like dart or swoop of the Merlin our author's experience supplies a characteristic instance:—

On the east of Scotland, where I studied the habits of raptorial birds for many years, I remember some years ago seeing this Falcon capturing snipes very cleverly at the sea-shore. At a particular part of the coast near Dunbar, where a rivulet enters the sea, the snipes fed in great numbers at low tide, the ground, which was covered with small brown pebbles, being well adapted for the concealment of birds. With the most punctual regularity, a pair of Merlins used to come as I made my appearance at this place, and hover about till I had raised a brace, which were immediately pounced upon. But after a time the snipes became so terror-stricken that a hundred shots would not frighten them; nor could a single bird be raised, though I saw them occasionally skulking under the stones. I found them more than once, indeed, paralysed with fear, and so heedless of anything save the hawk, that I was able to pick up one or two and transfer them to my bag while my two friends were flying overhead disappointed of their usual supply, and doubtless in wonder at this sporting novelty. Ultimately, however—for the snipes persisted in frequenting the place, though an unusual one—these birds acquired so much cunning that they ran to conceal themselves under the slimy stones below tide mark, thrusting their bodies, crab-like, into the crevices as soon as the Merlins and I came in sight! At such times their hurry was extremely diverting; and as the facts I narrate extend over a length of time, I could not help being struck with the behaviour of the snipes during the protracted disturbance they were subjected to.

The destruction wrought by the greed or cruelty of man upon the winged natives of Scotland has in some slight measure been compensated by the introduction of the pheasant, an exotic

bird which seems to find itself at home, so far as climate is concerned, throughout the length and breadth of Europe, although requiring the aid of artificial protection against its human or other enemies. The pheasant is reported by Mr. Gray to be extensively naturalized in the Western counties, and as far inland as Ross-shire and Ayrshire. The first mention of the bird in Scotland occurs in a Preservation Act of James VI. or I., June 8, 1594. The flight of the strong-winged true game of the glen is very different from that of the pampered half-tame denizens of Southern preserves. How far the introduction of the partridge into Scotland may have been artificially brought about, or have followed naturally upon the reclamation of waste land and the advance of husbandry, it may be difficult to decide; but it does not appear to have made its way farther West than Islay, Mull, and Skye, while it is known to have been introduced into Harris by Mackenzie of Seaforth not more than eighty years ago, and also into Lewis, where it has failed to thrive to the same extent.

No bird has received of late years greater attention than the Great Auk—*Alca impennis* or *An Gearbhuid*. Mr. Gray's notice of the "Garfowl," so noted in ancient story, so full of melancholy interest to the naturalist of to-day, contains an excellent summary of all that is handed down from early times, combined with the descriptions of those who had seen perhaps the last specimen alive. The numbers of skins, skeletons, detached bones, and eggs of the rare, if not extinct, British auk are carefully tabulated by Mr. Gray, together with the countries which possess them; the finest specimen of all being that in the British Museum, knocked down with an oar by some sailors at Papa Westra in 1812. Whether a living representative of the race is destined once again to gladden the eyes of ornithologists, or to excite the interest of the larger class who are perpetually on the look-out for novelties, is a matter for hope or desire rather than for speculation. Unfortunately, the mournful conviction is forced upon us, as it is upon our author, that "its doom will most likely be sealed by its re-discovery." While the merciless hand of man is doing so much to thin or extirpate the native varieties of fowl, the greater is the value and the interest which attach to catalogues or descriptions so carefully drawn up and so thoroughly worked out as those of Mr. Gray.

SALA'S PAPERS HUMOROUS AND PATHETIC.*

THIS little book lets us into a curious piece of information. Mr. Sala tells us in his preface that he has selected from his works the papers of which it is composed, and has prepared them, chiefly by considerable excisions, for the purpose of public reading. We fear that this fact throws a ghastly light upon the intellectual condition of our fellow-countrymen. We do not mean by this to say anything against the literary merits of the articles. There is, for example, a description of Niagara in winter which, for anything we need say to the contrary, is as graphic as most descriptions of Niagara. But we confess we are totally unable to realize the state of mind which leads a person to spend a certain quantity of coin and half an hour of time in order to hear another person read a description of Niagara aloud. People talk about the modern tendency to sensational exhibitions, and complain that managers endeavour to attract crowds by noisy, indecent, and dangerous performances. It may be so, for the world is wide and there is room for many tastes; but we may safely say that at no period of history with which we are acquainted has a form of amusement been devised so exceedingly mild and unobjectionable as that which is now offered. The British public must be very amiable, or must be very hard up for amusement, before it betakes itself to listen to a piece of ordinary prose which does not even affect to be dramatic; and we have little hesitation in saying that few persons are less likely to admire such an amusement than Mr. Sala himself. Yet he must be singularly free from vanity if he is not conscious of a gentle complacency at the thought that he can evoke admiration so ardent, if so ill directed. Perhaps he feels a little foolish at the rather grotesque form which his auditors' hero-worship takes, but no man could be stoical enough to refuse to gratify it. He condescends to clear up one bit of personal history which has perplexed the minds of many writers. We do not know what were the multitudinous forms taken by the legend which has gathered round the first appearance of this new luminary in English literature. Doubtless an event of such importance would go through many metamorphoses when subject to the popular imagination. Luckily, for once the hero can himself dispel the myths which have concealed the nucleus of fact. Mr. Sala, it seems, was already the author of a story in the *Family Herald* when he was one night locked out of his house with the sum of ninepence in his pocket, and, not having the courage to take a lodging on credit, walked the streets till next morning. Like a sensible man, he profited by his adventure to write an account of it, which Mr. Dickens inserted in *Household Words*; and he has ever since been a contributor to that periodical and its successor. Told in this bald way, the story sounds rather commonplace; though we can easily imagine how in skilful hands it would be converted into a thrilling narrative of a penniless and houseless man of genius springing by one bound into success, and deriving from his very misfortunes the materials for his future glory. But even in its baldest form it is in one

sense rather curious. The paper which Mr. Sala composed from his night's wanderings is not a very admirable work of art. It is not equal, for example, to Charles Lamb or to Addison's higher efforts. But it is so far remarkable as it shows a great facility for adopting the style of the most popular author of the time. Mr. Sala can write a bit of Dickens almost as well as Dickens himself. Add a few touches, and the description might do for a chapter in *David Copperfield*. In the same way, the paper called "Tattyboys Rents" is just one of those descriptions of squalid London in which his original delighted, and we could almost have sworn, were it not that Mr. Sala carefully fences off in brackets a few words supplied by Dickens himself, that the papers published in *Household Words* had all of them been polished up by the editor. Here, for example, is a passage describing an incident supposed to occur to Mr. Sala—whether historically or not we cannot say—in an attempt to run away from school. He meets a tramp, whose hands and face are "inlaid with a curious chequerwork of dirt, warranted to stand the most vigorous application of a scrubbing-brush," and of whom it is said, "It was a dreadful peculiarity of this man that when he spoke he scratched himself, and that when he didn't speak he gave his body an angular, oscillatory wrench backwards and forwards from the shoulder to the hip, as if he had something to rasp between his jacket and his skin, which there is no doubt he had." The anonymous tramp would have taken his place quite naturally as an inferior member of the society to which Bill Sykes, and the old man who meets Copperfield on his road to Dover, and a hundred other characters in Dickens belong. Obviously, if Mr. Sala did not give promise of much originality, he at least showed himself capable of hitting off with great precision the style in which a certain portion of the public takes unspeakable delight.

It would be rather hard to say what is the precise secret of the charm. One characteristic of Mr. Dickens which undoubtedly contributed very much to his popularity with his thoroughgoing admirers, though it generally repelled his more critical readers, was his delight in cheap pathos. Now although Mr. Sala has chosen to inscribe upon his title-page "humorous and pathetic," we must confess that we fail entirely to detect the slightest touch of the latter quality. We have not only read his papers with perfectly dry eyes, but we can venture to assure the most susceptible young woman who may be inclined to hear them read that she need not be afraid of any unpleasant shock to her feelings. There is indeed a description of an unlucky Jew being cruelly tortured and finally losing his head, which may possibly be supposed to come under this description. But instead of dwelling, after the true Dickens fashion, upon the sentimental side of his victim's suffering, and forcing us to watch him like Fagin tasting every drop of the cup of bitterness, Mr. Sala evidently regards the whole affair from a comic point of view. He is totally insensible to Shylock's argument as to a Jew's possession of the organs bestowed upon a Christian; and he speaks of his tormentor as he would of a young gentleman wrenching knockers off a door instead of crushing a fellow-creature's legs. Neither, to say the truth, does the humour in these papers strike us as very excellent in quality. There is a copious use indeed of some of those tricks of style with which Dickens familiarized us; but for the most part the humour which Mr. Sala undoubtedly possesses does not appear in this part of his writings. We are probably let into the secret of the interest which they possess in a paper called "Down White-chapel Way." There, at a "penny gaff," he listens, amongst other entertainments, to a duet performed by a couple representing a drunken tailor and his wife:—"Mr. S. reproaches Mrs. S. with the possession of a private gin-bottle; Mrs. S. inveighs against the hideous turpitude of Mr. S. for pawning three pillowcases to purchase beer. The audience are in ecstasies. A sturdy coal-heaver in the stalls slaps his thigh with delight. It is so real." The sturdy coal-heaver represents the average reader. He slaps his thigh or indulges in some similar manifestation of pleasure when he reads Mr. Sala's adventures on that historic night when he had only ninepence in his pocket. There is nothing tragic and nothing even decidedly comic in them. But then we have all gone through experiences sufficiently near to enable us to appreciate the strict fidelity of the story. A sailor cast away at sea, or a traveller lost in a boundless desert, is a more imposing figure; but then few people have imaginations vivid enough to produce a fair representation of their feelings. A night in London streets, with its trivial incidents—the encounter with a policeman, or a stray dog, or a fire-engine, or a rival tramp—just comes home to our bosoms. A crowd of holiday-makers in a picture gallery will pass by the most poetical saints and virgins, the most exquisite works of the great colourists, or the most glowing landscapes, to fasten with intense delight upon anything that reminds them of their daily lives. Hogarth is infinitely more to their taste than Titian, though Hogarth is growing rather too old-fashioned. But a realistic picture of a contemporary English mob, inferior as may be the art, will at once call forth a genuine spark of enthusiasm. On the same principle, readers who would be utterly insensible to any refined observation of character or sentiment are carried away by a simple photographic description of the streets in which they walk, the clothes in which they dress, or the dinners which they eat every day. We do not, of course, mean to imply that simple accuracy of detail is sufficient to excite their interest. Some touch of the grotesque, or the humorous, or the pathetic, must be added, and there must be a certain skill in grouping the objects to be portrayed; and in the "Key of the Street," for example, there is

* *Papers Humorous and Pathetic.* By G. A. Sala. London: Tinsley Brothers. 1871.

evidence that Mr. Sala knows how to select the most impressive facts. But still wonderfully little appeal to the imagination and the feelings is necessary in order to make a tolerably good likeness amusing; and, as it is generally said that any man might write an interesting book by simply giving a perfectly sincere autobiography, so it seems that a man need do little more than set down briefly and distinctly what he sees whilst taking an hour's stroll in London in order to induce Londoners to hang upon his pages with delight. Great indeed is the force of simple unambitious realism, with just enough of the humorous in it to prevent its sinking into absolute dullness.

Mr. Sala, however, soon soared above these humble efforts, though we know not whether his more ambitious performances are likely to be better appreciated. They depend, indeed, partly upon the same principle. Mr. Sala is a cosmopolitan after a fashion. He delights in reminding us at every moment that he has travelled in various quarters of the globe. We have in this little volume sketches from the United States, from Paris, from Venice, and from Holland. They are not bad of their kind, and we admire the audacity with which the writer plunges into the most hackneyed topics. He has a plan of his own for giving them freshness. "Understand," he says, when beginning the thousand-and-first description of Niagara, "that I abandon any attempt at picturesque narrative, or at striving to emulate that which has been done, and done admirably, by a hundred men of letters." Though after this preface he naturally proceeds to imitate his predecessors a little, we must do him the justice to say that he generally keeps his word, and endeavours to set forth the scene before him, not as it would present itself to the eyes of a poet or a philosopher, but as it strikes a shrewd, sensible cockney, but still a cockney to the backbone. It is his evident pride that he looks upon Niagara or the Bridge of Sighs without the smallest attempt to get up the proper conventional emotion, but from the point of view of a Cook's tourist of rather superior abilities. He carries London with him everywhere, hates humbug, despises sentiment, and if in so doing he misses the deepest significance of the scenes, he at least tells us what is perhaps worth knowing—just how it strikes a thoroughgoing Londoner who won't condescend to varnish his emotions. We laugh at our American cousins for their resolutely prosaic way of contemplating the world; but in that particular respect the Americans are perhaps more allied to Englishmen of the ordinary type than we generally acknowledge. At any rate, whatever the value of such observations, we can easily understand that the ordinary Briton enjoys a writer who tells him without nonsense, and with a fair share of humour, though also with a large allowance of affectation of superior wisdom, precisely what he, the said ordinary Briton, would feel if transported to the place in question. Yet, we must repeat once more, we are rather surprised that even the ordinary Briton should care to hear such writing read to him in public.

RATIS RAVING.*

WE are working double tides to try to keep up with the Early English Text Society; and the Early English Text Society, or at any rate Mr. Furnivall, as its representative in the outer world, seems to be working equally hard to keep up with us. As we ought to have noticed Andrew Borde, so we ought to have noticed "Ratis Raving" long ago; but for once we will not be behindhand. We had hardly had time to turn our thoughts from Andrew Borde to "Ratis Raving" when what we take to be the very latest publication of the Society has come into our hands in the usual way. This takes the form of a single page, from which we find that, almost as soon as our review of Andrew Borde could have been in the hands of our readers, Mr. Furnivall set to work with a good heart to correct on a little fly-sheet the mistakes which we had pointed out. Nay, more, he showed that his memory reached over a period of several months, as he fell back upon the "Four Supplications" and explained that "gnatonical" does not mean "gnat-like." He adds that the entomological explanation of the word was "copied unthinkingly by Mr. Cowper from an edition of *Fore's Martyrs*"—readers of Dr. Maitland will very well remember what edition. So far so good; but Mr. Furnivall is less happy when he corrects his amazing description of Charles the Fifth as "Emperor of Austria" into "Emperor of Germany." Perhaps Mr. Furnivall has been misled by the example of the composers of the Queen's Speech. We know not whether he has yet come back from his rural retreat into some place where he finds it possible to work, but the speed with which his sheet of corrections has come out looks as if he had. If, then, we are right in thinking that Mr. Furnivall has got to his books again, we should recommend a little course of German and other Imperial history before he meddles again with such terrible persons as Emperors, or attempts to quarter them in any particular part of the world. And in anybody but Mr. Furnivall we might be inclined to complain of the breach of literary etiquette which he has committed by attaching to his corrections the name of a supposed author of the article which he quotes. We need not say that we should be guilty of an equal breach of rule if we were to tell him whether his guess is right or wrong. But with Mr. Furnivall we do not get angry at these things. We do not expect

him to be governed by the same laws as other men; a little gambol or caper of this kind is merely of a piece with the other gambollings and caperings which went on in Mr. Furnivall's woodland paradise. For aught we know, when Mr. Furnivall sent out his fly-sheet, his head may still have been swimming after a waltz with the fair-haired Alice. How can we expect him to stoop to be guided by the dull prosaic laws of every-day life?

We turn from Mr. Furnivall to his colleague Mr. Lumby, and we find ourselves at once carried back from poetry into prose. There is no romance about Mr. Lumby, at least not in his editorial character. He makes no confessions or revelations beyond the dry description of himself as "late Fellow of Magdalene College, Cambridge." His preface does not contain a single personal detail about himself. We are left to guess whether he lives in town or country, whether he took the side of the Germans or the French, whether he has a wife to chat with or a boy to play with, or even so much as a fair-haired Alice to waltz with. Mr. Lumby is perhaps discreet in not treating us to any of these pleasant little revelations. He certainly acts in a way more conformable to the ordinary practice of scholars. Still it is something of a come-down in the world to turn from the highly wrought picture of Mr. Furnivall's holiday to such humdrum matters as "Ye grete lawis of Scotland of ye gude King David," or even to the more exciting theme of "Taurus cornutus ex patris germinis brutus."

The pieces here brought together consist, as the title-page tells us, of several moral and religious discourses in prose and verse printed in a manuscript in the University Library at Cambridge. They are all important philologically, as giving us a peculiar form of the "Louthiane Inglis," or Lowland Scotch, of which not much has been preserved. They date from the fifteenth century, "the later part of the early period of Scottish literature," and they mark the stage in that dialect when it was no longer, as it had been up to the war of independence, identical with the language of Northern England, but when it had not yet put on that distinct shape of that Scottish language of the sixteenth century which Queen Elizabeth found less easy to understand than French. Its peculiarities are set forth in a paper by Mr. J. A. H. Murray, from which Mr. Lumby gives us a long extract. Mr. Murray rules it to be "pure and unmixed Scotch" of its own date, as distinguished from the later dialect, which he calls "Middle Scotch." One difference which Mr. Murray remarks is curious, as showing a falling back on earlier forms on the part of the later dialect. "The indefinite article is, as in Northern English of same date, a before a consonant, *an* or *ane* before a vowel, in contrast with the Middle Scotch usage, as in *ane buik*, *ane kyng* (which appears in the Acts of the Scottish Parliament between 1475 and 1500)." But French forms unknown in Southern English have already crept in, as "*murthersar*" for one guilty of murder (*murder*), from the French *meurtre*. So we find *revis*, which Mr. Murray understands to mean streets, seemingly from the French *rue*; but Mr. Lumby doubts this interpretation. *Stankis* again seems to come from the French *étang* (*étang*), from *stagnum*. We get the characteristic plurals in *is* and the good old participle ending in *and*, as well as the Scotch form of the past participle in *yt*. *Eke* is become a verb; the curious growth of a verb from a conjunction, as also several verbs from adjectives, as *gud*, *yit*, *lesse*, *law*, *riche*—a usage still kept up in Scotland, but which in the first two cases at least has no parallel in modern English.

All the pieces of this volume are, as we have said, designed for religious instruction; and it is wonderful how small the proportion is with which any reasonable person of our time would be inclined to quarrel. Confession to a priest is enjoined; the virtues of the Mass are highly extolled, one whole piece indeed being devoted to the subject; and the Sacraments are of course reckoned to be seven. On the other hand, we do not think that there is a single word about invocation of Saints, or anything setting forth the usurped authority of the Bishop of Rome. And, as we so constantly find in mediæval religious writings, there is nothing of that quasi-controversial tone and colour thrown over the whole thing, that tendency to dwell specially on points characteristic of the writer's own sect or school, which is so common in modern writings of the same class. Where everybody is orthodox, where nobody doubts about anything, but where men simply need exhortation to a more lively holding of their faith and a more perfect carrying it out in their works, the character of religious writings is quite different from what it becomes in times when people are always thinking of the difference between opposing parties. There were dissenters in the fifteenth century,* but we may doubt whether they had made much way in Scotland; and even in England they were not so prominent as to make simple and devout believers have them constantly before their minds. The consequence is that in these pieces we get much more on those points on which all Christians agree than on those on which they differ, and the greater part of the strictly religious teaching in this volume might be put into a modern sermon or a modern book of devotion without much risk of giving offence. The short piece on the "Vertewis of the Mess" is naturally the one at which modern readers are most likely to stumble. It is certainly startling to find words put into the mouth of St. Paul and of Our Lord Himself of which we find no trace in the New Testament:—

Sanet paul sais that rycht as our lord Ihesu crist is mar worthi and mor precious than ony uthir creatur that god maid [is this orthodox?], sa is be mess mar worthi and mar precious than ony uthir oressone or sacrifice that may be said or maid in this erd.

And directly after:—

Item, our lord Ihesu sais that quhat sum euer, thing pat men with clen,

* *Ratis Raving*, and other Moral and Religious Pieces in Prose and Verse. Edited by J. Rawson Lumby, M.A. London: Published for the Early English Text Society by Trübner & Co. 1870.

hart and gud denoclene askis at the moss in thar prairis, It salbe grantyt thaim or elles bettir and mar propitable thing, na thai ask hyme be mekill. Item, quicquid orantes petitis, &c.

One question we have to ask of Mr. Lumby on a point on which he gives us no help. What is the meaning of the name of the chief piece here printed, the one which gives its name to the volume? What is the meaning of "Ratis Raving"? The name comes from the author of the piece himself, who tells us, towards the end of his first book:—

Now bene, I pray the rest the here,
For now is ended this matere;
The quhilk is ratis raving cald,
Bot for no raving I it hald;
Bot for rycht wys and gud teching,
And weil declaris syndry thinge,
That is rycht nedfull to be know,
As the sentens It wyll schaw.

Mr. Lumby has no note upon this, and we cannot find either the word *ratis* or the word *raving* in the glossarial index. Is *raving* used by the author in the modern sense, or does he by *raving* simply mean dreaming? And, in either case, has *raving* anything to do with the French *rêver*, a word whose own origin is very puzzling? And whatever *raving* may be, what is *ratis*? We tremble as we ask whether it has anything to do with the "majores mures qui vulgariter vocantur *rati*" who, according to Giraldus, so irreverently ate up an Irish Bishop's books, and were therefore banished from the island. The black species may have crossed with the Dalriadic colony into the younger Scotia, as the brown species seems to have crossed into England along with the illustrious House of Hanover and Protestant succession. But when they have got there, we do not see what they have to do with moral instructions about "The Foly of Fylis and the Thewis of Wysmen." And we have unpleasant qualms whether our rats may not turn out to have as little to do with the matter as Mr. Furnivall's gnats. But, rats or no rats, the ravings of our worthy author consist of moral instructions, most of which are as much to the purpose now as they were in the fifteenth century. Nearly at the beginning we are taught not to abuse any of the five senses, in reading which we looked with special care to see in what way the seemingly harmless sense of smelling can be turned into an engine of sin. Perhaps an extravagant lover of perfumes might come under this head; but on this point our raver does not enlarge, but rather speaks in a way which shows that he was in his age a sanitary reformer:—

Than sonar slais ill air nor suord,
As men supposis now, veill and mare,
In thair dais than thai did aire,
That ill corrupciome of aire
Will schort levyng and mekle empare
The men that cumis quhar it is
And kepis thaim rakessly and myas
And maisteris gud and kindly skill.

When he gets to the sense of touch, his illustration is curious enough. God gives grace to those who keep their hands innocent, and the example given is how "Gothra the bulgone"—by which we are to understand Godfrey of Boulogne was able to cut an armed man—was he a foul paynim or a supporter of the rebel Rudolf?—in twain with one blow because he kept his hands innocent. There is much to say about loyalty, the word being used in the wider sense of strict adherence to engagements in general, and we are told how

Thir lumbartis gevis it mekle price,
Thair dar weil better traist thar tyll,
Than tyll the emperouris wyll,
Or till his obligatioun,
For all his riches and renoun.

Considering that this was most likely written during the reign of Frederick the Third, we are not surprised—notwithstanding the splendid cope in which he is arrayed at Innsbruck by the piety of his penniless son—at the somewhat humiliating comparison.

We should like to know the piece of history or legend referred to in the following lines:—

"Se gone man the quhilk wald nocht
Put godis help in to his thoct,
Bot traistit hail in his riches,
And neuer of vanite wald sece."
This was the superscriptione
One mortymar was wrytin doune,
Qahen he was ded, upone his graif
This wordis ware his ypitaf.

Is this Mortimer the Roger of the century before—famous at Nottingham—or who? Mr. Lumby gives no help. There is a great deal of good advice in the book, especially about marriage and the behaviour of women. Daughters should be married while young, and in choosing a wife a man should look out for the daughter of a good mother. There is also a very pretty description of childhood and its toys. Altogether, our author, if he raved in the strongest sense of the word, certainly kept a good deal of method in his madness.

O'SHAUGHNESSY'S LAYS OF FRANCE.*

THIS book contains an expanded version of five out of the twelve Lays attributed to the Anglo-Norman poetess, Marie de France. Mr. O'Shaughnessy would have done well to indicate, however briefly, the mode of treatment which he has adopted, and it is a blemish in his undertaking that he has preferred to omit any such explanation. Among the Anglo-Norman *trouvères*, Marie holds, if not the first place, at least a very prominent one. When Normandy was lost to England in 1204, there seems to have been a considerable emigration to this country of persons who had become attached to English rule; and among these, Marie is said to have changed her abode. Her Lays at any rate were very probably written on this side of the water, and certainly in the early part of the thirteenth century. The only MS. copy of them is preserved in the British Museum, and stands No. 978 in the Harleian Collection. Besides these twelve Lays, Marie wrote a collection of *Fabliaux*, and a sort of *Inferno* of her own, being a description of the descent of one Owayne Miles into St. Patrick's Purgatory.

The Lays have that peculiar air of romance, always on the border of the supernatural, and often passing it, which seems to have been indigenous to France at the dawn of literature, and never to have reached far beyond its limits. A comprehensive and very capable analysis of them was made early in this century by a female critic named Betham, and was published in 1816. Out of the seven Lays which Mr. O'Shaughnessy has left untouched, the three most remarkable are the "*Lai de Frayne*," "*Bisclaveret*," and "*Sir Lanval*." The word *bisclaveret* was the Norman equivalent for *wer-wolf*; and this tale is a very ghastly commemoration of the vengeance which overtook the unfaithful and treacherous wife of a French baron who had the misfortune to be plagued by this double existence. Being destined to become a wolf on three days in every week, he yielded to the obstinate solicitations of his wife, and revealed the means by which he might be prevented from returning to human form when the fated three days were over. She adopts the indicated method, and marries a paramour. In the capacity of a tamed wolf the injured baron becomes a favourite at court, and is at last able to wreak a terrible vengeance on the guilty pair, and to recover his proper body and position. The "*Lai de Frayne*" is, in our opinion, a more worthy subject for treatment than any of the rest, and it was a pity to omit it in this volume of expanded versions. It describes the fortunes of twin sisters, one of whom is called La Codre (*coudrier*), the hazel, and the other La Frayne (*frêne*), the ash.

Mr. O'Shaughnessy's selections are "*Laustic*, or the Nightingale," the "*Two Lovers*," "*Chaitivel*," "*The Lay of Eliduc*," and "*Yvenec*," or "*Ywonec*," as it is in the MS. These Lays stand eighth, sixth, tenth, twelfth, and seventh in the original collection. We propose to notice in detail the last two only, which are worked with especial care, and are both in subject and treatment very sufficient specimens of the rest. And we adopt this limitation the more readily, as the poetry of Mr. Morris's school, to which Mr. O'Shaughnessy belongs, has a decided tendency to grow long-winded. We are very far from taking up the extraordinary position of a writer in the *Quarterly Review*, and condemning those poets who go for their material and their inspiration to a nearer or a remoter past; and it would not be a good sign for the progress of taste if a deaf ear were turned to the lays of Chaucer's "*olde gentil Bretons*" (*li ancien Breton courtois*). But the contemporary workers in this field are apt to run into an extreme, and to go on from page to page as if the history of a look or a sigh were the one engrossing topic in the universe.

The "*Lay of Eliduc*" has been very largely added to and altered by Mr. O'Shaughnessy. There are about 2,200 lines in his version against about 1,100 in the MS. Eliduc is a French baron who, falling under the King's displeasure, quits his palace and his wife, and goes to try his fortunes in England. In England he is received with much distinction at the Court of some vague chieftain; and with the aid of his ten knights, the small retinue who followed him from France, he is able to save his new friends from a formidable invasion, and completely to annihilate the foe. The rest of the tale is soon told. Though noble-minded in the grain, Eliduc is not proof against admiration and prolonged absence; and love grows up between him and the chieftain's daughter, Guilliadun, who at last returns with him to France. On the voyage a storm rises, and, in her hearing, Eliduc is charged with being its cause, as he brings home this princess, while a wife is still living in his palace. Guilliadun swears to death on hearing of her lover's marriage, and as she dies the storm passes away. He lays her in a woodland chapel, where by a miracle, after long watching, he discovers the herb that wakes her from her deathlike trance. And here Mr. O'Shaughnessy's version comes to a most unsatisfactory end, by recording how the true wife pined away, and remarking that, though the baron's love has blossomed into a new life, he will have a sorry return home at last. The original legend is much more in harmony with itself and with the temper and feeling of its age. In it, the wife, Guildehue, is the watcher by the supposed corpse; it is she who miraculously brings about the waking; and when the two women have come to know the truth about themselves and the man they love, it is she who withdraws at once, with an idealized generosity,

* *Lays of France* (founded on the *Lays of Marie*). By Arthur W. E. O'Shaughnessy. London: Ellis & Green. 1872.

into the cloistered life, whither however she is soon followed by the others also.

"Yvenec," though not enlarged with quite the same freedom of addition as "Eliduc," has nevertheless been materially altered, and shorn of its proper termination. Bertha is the young bride of an ogre-baron, who shuts her up in a tower. The supernatural element abounds in the sequel, and the virtues of the Sacrament are brought out into prominence. After a long and dreary waiting, she is visited by a princely lover, who has the power of assuming a falcon's shape while passing to her chamber. The Baron brings about his death by fixing a dagger-blade to meet the falcon-form at the window; but Bertha is able to pass out from the tower, and, reaching the palace of her lover, to find him in his proper character still able to make his last farewells. After his death she gives birth to a son, who was "named in lays" Yvenec the Deliverer. Here, again, Mr. O'Shaughnessy ends abruptly; but the legend goes on to tell how Bertha kept the prince's sword till the day of her son's knighthood, and how he was then enabled, by the first stroke he struck, to kill the baron who had wronged his mother and caused his father's death.

These specimens will show sufficiently the kind of method which has been adopted in this volume with reference to the original. It is not a method to be accepted with anything like unqualified approval. All that the author chooses to do is to guard himself against the impression that his work is a mere translation; but he guards Marie de France against nothing. No reader can be satisfied, without a laborious process which scarcely any one will take the trouble to go through, whether this or that page or line of thought and mood of feeling is to be attributed to Marie or to Mr. O'Shaughnessy. The whole position might have been set right by what in itself would have had an independent value—namely, a brief appendix, with some few test passages of the MS., both in the original form and in a completely literal rendering.

We regret the absence of such an obvious appendage all the more because—as we have before remarked in noticing an earlier volume of his—this modern votary of Marie has, in imaginative power, keen intuition, and ear, a genuine claim to be writing poetry, as things go now. There is a passage in the sombre and gloomy poem of "Chaitivel" which, among many others that deserve to be reproduced, seems to be especially representative. Chaitivel was a luckless lover, between whom and his lady, Sarrazine, three phantoms of former lovers intervened, with fatal and supremely grievous results. Altogether the story had better not have been worked out or published; the figures are more shadowy even than the scarcely traceable giant-form of the Cyclops in Turner's picture of the retreating ship of Ulysses; and it is all gloom, no relief. But the drawing of the dwelling-place of Sarrazine, where she used to lead her forlorn life, is done with great beauty and effect:—

The slow cloud found it sweet to rest
Over each shadow-haunted tower
Of her lone castle, and to remain
Low brooding over that domain
Of deep autumnal wood and plain
And mirroring lake that she possessed;
The sun and summer owned no flower
Down in the deep and wayward ways
Ruined and lost about her bower,
Whose desolation was the nest
Of a strange plaintive bird with crest
Of tarnished fiery feathers. Haze
Of changeless morn and noon was blue
Above the still blue of the lake,
Where, year by year, some long dream grew
More and more wonderful, and threw
A stranger spell over wild brake
And dripping mile of sallow sedge—
Where the dark bittern and the crane
Answered with lone unearthly cry,
Or spectral on the oozy edge,
Some tall grey egret with wide eye
Stood slumbering.

It would be easy to select a number of isolated touches of real merit, like this of the deer in "Eliduc":—

Or where, in wilds of forest grass,
Through sun and shade was wont to pass
The shrinking spirit-slender herd
Of roes.

And Mr. O'Shaughnessy is also an accomplished master in those peculiar turns of rhythm which are designed to reproduce the manner of the mediæval originals. In octosyllables like these—

And the face of his own wife dear
And prayed Love would bless this and this
And marble things fair to behold

there is a halt, a limp, a catch, quite distinct in its effect from the forceful variations of rhythm in the ten-syllable heroic of Milton or of Tennyson; from

Burnt after them to the bottomless pit,

Or,
And the sword of the tourney across her throat.

Force and vigour and variety do not seem to be at all the qualities aimed at in the limping catch of the octosyllable, which is rather

a reproduction of the quaint manner of an age in which metre had not attained its final development. How marked is the mannerism which this peculiarity can introduce may be seen at a glance by comparing a page of these Lays, or of similar work in the same school, with a page of Walter Scott's octosyllabic writing.

Our real quarrel—and it is a serious one—with Mr. O'Shaughnessy and the school to which he belongs arises from the persistency with which it appears by them to be held that poetry is bound to represent the passion of love, with an increasing freedom of delineation upon the physical side. A tolerably advanced point has been reached already; and, to hear the adherents of this school talk, it is not the self-imposed restraints of the school, but only the external repression of accepted social morality, that prevents the limit from being indefinitely extended. Two leading propositions appear to underlie the efforts of this school; first, that the passion of love is by far the most important element in human life; secondly, that art is entitled, even if it is not under an obligation, to give distinct representation and expression to everything that is. When the first of these doctrines is urged, either by implication in some poem or directly in its defence, we certainly do feel grateful that there is still at work so vigorous and masterly a hand as George Eliot's to remind poets and lovers, and everybody in general, that there are such things as law and duty, besides passion; and that, on the whole, the more dignified course for a reasonable being, inheriting the results of many ages of cultivation, would be to subordinate passion to law, rather than to worship passion until it begins to revert towards the fetish influences of very early or very barbarous times. Mr. Swinburne has pushed to sufficiently offensive lengths the second doctrine about the universality of representation, without reserve, as the right, if not the duty, of art; though even he has hitherto remained far behind the brutal indecencies of Walt Whitman. In his version of the *Lays of Marie* Mr. O'Shaughnessy has in too many passages carried this treatment of his art to an excess which we are bound to censure and regret alike on moral and on literary grounds. Art committed to this fatal theory of the abandonment of all reserve—art, that is to say, divorced from law, and from the accumulated results of moral progress—is not only self-destructive, as history proves again and again, but tends to spread disorganization and destruction in society and in the individual consciousness, as far as its influence reaches.

Our protest against this perversion of art will no doubt be met with contempt by not a few adherents of the view which we are discussing; but it will be the contempt of those who have got out of gear with the higher life, not of the intellect only, but of feeling also.

EASTLAKE'S GOTHIC REVIVAL.*

THAT great reaction from the Renaissance which has characterized the present century, and which has stamped indelible traces on the current art and literature of Europe, deserves and demands an historian. Mr. Eastlake, the Secretary of the Institute of Architects, has undertaken, in the volume before us, to trace the course of this movement in one of its most important developments—that of architecture. It may be doubted, perhaps, whether the time has even yet come for an impartial review of the whole revival. A man would be very bold indeed who should pretend to prophesy the future phases of this memorable intellectual outburst. Who can tell with any accuracy, from the signs of the times, whether the Gothic Revival has culminated, or has begun to wane again, in the perpetual flux and reflux of thought and sentiment? On the other hand, it is clear that, unless the materials for a complete history of this new Renaissance of the nineteenth century are speedily collected, many of them will perish from men's memories. We shall see, in our examination of Mr. Eastlake's volume, that with all his pains and industry some important facts have escaped his research or have been forgotten. This reflection enhances our sense of gratitude to this accomplished writer for the zeal and impartiality with which he has undertaken, without further delay, a difficult and very important task.

Wisely contenting himself with his own special study of the building art, Mr. Eastlake, as the somewhat verbose title of his book tells us, attempts to show how the taste for mediæval architecture, which was never quite extinct in England, has lately been revived among us. Here, to begin with, he has laid hold of an important truth. Gothic architecture had not quite died out when the revival began. We scarcely know what Mr. Eastlake intends his readers to understand by the "two last" (he should have said "last two") centuries; but it is certain that the traditions of what is more properly called Pointed architecture have survived, in stone-producing districts, to our own days. Geology has had much to do with it; just as the fact that Paris commands so beautiful a material for building has given that city a stone architecture instead of a brick one. In the counties of England where good building stone is not procurable, the use of brick has helped to drive the Pointed style out of the field, except indeed in those districts where the abundance of native

* *A History of the Gothic Revival: an Attempt to Show how the Taste for Mediæval Architecture which lingered in England during the Two Last Centuries has since been Encouraged and Developed.* By Charles L. Eastlake, F.R.I.B.A., Architect. London: Longmans & Co. 1872.

timber has favoured the retention of the older architectural forms.

In his laudable desire to keep clear of ecclesiastical controversies, Mr. Eastlake perhaps depreciates, though unconsciously, the influence which the Caroline Churchmen exerted in stemming the flowing tide of revived Classicism. He speaks indeed of Laud's church of St. Catherine Cree, in Leadenhall Street, and of his collegiate buildings at Oxford, and he briefly mentions Cosin's works at Bishop Auckland and at Brancepeth. But other examples might be found. Strange to say, for example, the chapel of Peterhouse, Cosin's most memorable work, is not noticed. Indeed we incline to think from internal evidence, though it is difficult to believe it, that Mr. Eastlake has never visited Cambridge at all. Generally in his book we have been pleased to notice proofs of personal inquiry and examination in most of his criticisms. But his accounts of works in Cambridge are unusually meagre, and seem to be given at second-hand. Indeed in the long list of "selected examples of Gothic buildings erected between 1820 and 1870" (which forms a kind of appendix at the end of this volume), the very early and most remarkable specimens of the Gothic Revival contributed by Wilkins in Corpus Christi College, Cambridge, and by Rickman in St. John's College, find no place. We conclude that Mr. Eastlake never saw them, nor heard of them. But no history of the Gothic Revival can be in any sense complete without a comparison of the influence exerted by the two ancient Universities on the secular and religious architecture of England.

With this abatement—which, however, is not an inconsiderable one—Mr. Eastlake's summary of the gradual decline of the Gothic traditions in English architecture may be read with profit. He is scrupulously fair to Sir Christopher Wren, though his own sympathies are with the Pointed school. We doubt, however, if he has given that great architect credit enough for his sense of Gothic proportion. It is Wren's detail that is so disappointing in his Gothic buildings. The masses and outlines are generally most satisfactory. Witness, for instance, his noble tower of St. Mary Aldemary in the City, which might have been made, and ought (at all cost) to have been made, a leading feature in the new Queen Victoria Street. It is still possible to see the tower from one side; but an encroaching pile of warehouses has destroyed a matchless architectural effect. The twin western towers of Westminster Abbey, again, are charmingly proportioned, when seen from a distance—as, for example, from the Serpentine Bridge in Hyde Park—filling up the bottom of the valley down which the West Bourne used to find its way to the Thames. It is only the detail, not the mass, that is bad in these towers. We probably owe more than we know of to Wren for his magnanimity in not altogether proscribing Gothic at Westminster; as Inigo Jones would certainly have done in Old St. Paul's had he had the opportunity. Wren's declaration, in his interesting report on the Abbey, which Mr. Eastlake quotes, to the effect that "he would strictly adhere to [the Gothic style] throughout the whole intention" of his projected and partly accomplished restoration, is very remarkable. As there is nothing very new in them, we pass over some interesting discussions of the influence which Horace Walpole's dilettantism had on the continuance and the revival of the Gothic style among us. We come next to Batty Langley, who is little more than a name to architectural students of our time. He is often quoted in derision; but most readers know little or nothing about him. Such persons will find in these pages a very amusing account of the once famous book in which he and his brother so far patronized the Gothic style as to improve it and reduce it to five orders, in harmony with the scientific laws of Vitruvian art. Mr. Eastlake, however, is quite right in giving Batty Langley a place in his *catena* of those who had a share in keeping alive the Gothic sentiment. He is on newer ground—to us at least—when he proceeds to chronicle actual eighteenth-century works in a quasi-Pointed style, such as those which Thomas Barrett carried out, in 1782, in Lee Priory, Kent (near Canterbury, though Mr. Eastlake forgets to tell us so), afterwards well known as the seat of Sir Egerton Brydges's private press, and very recently improved by Mr. Gilbert Scott and Sir William Chambers, in 1771, at Milton Abbas. It would have added largely to the usefulness and interest of the work if some illustrations of these forgotten designs had been given. Beckford's fantastic "abbey" at Font-hill occupies a large space in Mr. Eastlake's summary. It was the work of James Wyatt, "the destructive," who touched no ancient building that he did not spoil. Would that he had kept himself to such harmless vagaries as Font-hill, and spared us the interior of Salisbury! At this very moment the paintings of the vaulted roof of the choir of Salisbury are being renewed, in memory of the late Bishop, by Messrs. Clayton and Bell. The ruthless whitewash applied by Wyatt had so destroyed the mediæval distemper work that it is scarcely possible to decipher a single figure or a single legend. It was a wanton and most cruel destruction; and must have been a costly one, when the expense of scaffolding is taken into account. Mr. Eastlake is almost needlessly tender to Wyatt's memory, and says more for his works of Gothic restoration at Windsor and Belvoir than we are quite prepared to accept. That Nash ever attempted to design country houses in a Gothic manner will be new, we think, to most readers. James Essex, of Cambridge, was on the whole the foremost of his contemporaries as a practical reviver of Gothic. Mr. Eastlake says of him that "he may be fairly described as the first professional architect of the last century who made a study of Gothic."

Simultaneously with the revived taste for mediæval architec-

ture which is exemplified in the last-mentioned country seats and many others here enumerated, such as Elvaston, Donnington, Hawarden, Knowsley, Eaton, and Eastnor, the growth of a corresponding literature is to be observed. One of the first revivalists, as distinguished from the mere antiquaries, was that prolific writer John Britton, who, born in 1771, did not die till 1858. His *Cathedral Antiquities* in particular must have produced a very great effect in spreading a love and admiration for the ecclesiastical Pointed style in its highest forms. Among other writers who contributed to the progress of the movement were the elder Pugin and his colleague Willson. But of all these James Carter, using the *Gentleman's Magazine* as his organ, did the best yeoman's service in the cause of revival by remonstrating against unnecessary destruction and arguing for careful restoration of architectural remains. His writings mark the progress from purely archaeological description to the fervent spirit which distinguished the earlier apostles of the movement.

The names of Cottingham, J. C. Buckler, John Shaw (who built Christ's Hospital), Poynter (who designed St. Katherine's Hospital in Regent's Park), James Savage (to whom we owe the really fine church of St. Luke's, Chelsea, notable for its vaulted roof), Blore, Rickman, and Salvin, are the most distinguished practical architects of what Mr. Eastlake rather unhappily calls the pre-Puginian period. The list of contemporary writers includes the names of Millers, the historian of Ely, Dr. Milner of Winchester, and Whewell. By a most singular omission Mr. Eastlake makes no mention whatever of two men still more eminent as architectural writers, Thomas Hope and Professor Willis. We cannot account for this oversight; more especially as Whewell is expressly commemorated as having introduced the Pointed styles of the Continent to English students. It was Thomas Hope who was actually the first, in his *History of Architecture*, to do justice to the Romanesque and Pointed architecture of the Continent. And Professor Willis is, both for foreign and home architecture, *facile princeps* among professional writers. We hope most sincerely, in the interest of historical truth and justice, that Mr. Eastlake may be called upon to produce a new edition of his work, in which these grave omissions may be rectified. Our space has been exhausted in considering the first half of the volume before us. We hope to notice the later history of the Gothic Revival in a second paper.

THE CHOICE OF A DWELLING.*

THERE are few subjects about which an ordinary Englishman finds himself so much at sea as the means of protecting himself in taking or building a house. Whether he intends to rent, buy, build, or restore a mansion, villa, cottage, or town-house, his dreams are harassed with visions of architects, contractors, artisans, all of whom, he feels, know him to be a novice, and listen with scarcely suppressed pity to his crude ideas upon a subject which concerns the very comfort of his life. It needs no small application to master plans and specifications; and when this stage of adult education is past, there remains a sense of ignorance of details, and of unfamiliarity with the nomenclature of architecture and construction, which he does not like to confess, or to remedy by sitting humbly at the feet of the architect or clerk of the works. In this strait, the natural resource is a book which will furnish simple folk with the results of skilled experience; and though it is seldom wise to quote book-learning to practical people, yet, with a really handy volume upon such a subject as house-building, an intelligent reader might, without distressing himself, so far post himself up in the details and verbiage of the craft he has to encounter as to be able to understand the matters under discussion, and to save himself from being led blindfold into undertakings which he has never contemplated. But till now the handbook meet for laymen such as we have described has been a desideratum. Laxton's *Builder's Price-Book*, a very useful annual to those who are involved in much brick and mortar, is too strictly professional, and deals only with one side and branch of the subject. The *English Gentleman's House*, by Mr. Robert Kerr, though a very suggestive and able volume, is enough to frighten average house-builders by the sumptuousness of its conceptions, and the magnificence of scale on which the points "generally necessary" to an English dwelling, in the writer's view, are elaborated; however masterly it may be in its own way, it cannot pretend to perform the functions of a handbook. But the same publisher who brought out Mr. Kerr's work has just performed a similar service for a really handy book, by an experienced and skilful architect, Mr. Gervase Wheeler. Mr. Murray's advice and practical assistance are acknowledged with much frankness in the preface, and the public is at length provided with a well-arranged manual on all questions connected with the erection or purchase of a dwelling, written, as far as possible, in untechnical language, and adapted, it seems to us, to the needs of the most ambitious as well as the humblest-minded of intending housebuilders. And at a time when the Prince of Wales's illness and the supposed defects of drainage and ventilation at Scarborough and Sandringham have been the text of many an exhortation to householders to overhaul their

* A Practical Handbook of Useful Information on all points connected with Hiring, Buying, or Building a House, with its Stables and Gardens Outbuildings. By Gervase Wheeler, Architect. London: John Murray, 1871.

domestic arrangements and set their dwellings in order, the appearance of the *Choice of a Dwelling* is singularly opportune, especially as it devotes more than one valuable chapter to drainage and water-supply, and to those details in house-arrangement as to which we are so much at the mercy of the plumber.

In the first part of the volume, which is taken up with matters preliminary to house-building or house-occupying, soils, materials, and sites are discussed in their order; and though it is premised that gravel, rock, sandy loam, and chalk are better foundation-soils than clay, yet, failing a choice, we are told how to make the best of clay by drainage, which, besides removing noxious fluids from within a house, shall carry off the surface water which is apt to clog the external and internal area of a heavy undrained soil, and by evaporation to become a serious evil. With proper drainpipes to convey water to an ultimate discharge, clay may be made a satisfactory building substratum, and in these pages the secret of sufficiently deep and uniform excavation, and lining with a bed of concrete, is expounded so lucidly that the reader who has to face the dread ordeal of "beginning to build" may, without any intense strain of mind, discover how to protect himself against careless contractors or workmen. With an open-air drain round external walls, and a system of house-drainage starting from below the lowest level of the lowest part of the building, collected to one point and led thence by the main drain, with as few junctions and turnings as may be, to the outfall, and with a map at hand to show the direction, depth, and ramification of the system of house-drains, there need be no uneasiness on this point, especially if the contractor has taken care to secure clear pipes, plenty of water, and a gradual fall, and has trapped every connecting drain at the point of junction. A most valuable section is devoted to the ventilation of drains; and a special caution to get rid of accumulations of noxious gases and the flow of foul air by means of an upright pipe carried above the gutter levels, and discharging high enough to keep clear of any upper windows (p. 10), will be read at the present time with as much interest as profit. Ventilation, indeed, in all its applications is a problem which is thoroughly met in the book before us, as will be conceived when we note that the somewhat unsightly tubular excrescence which runs up the external angle of the turret of an otherwise picturesque country house figured in the vignette at the head of Mr. Wheeler's preface, is a ventilating fine connected with the ceilings of the principal rooms. Equally careful provisions and suggestions are made with regard to an ample and wholesome supply of water for all purposes; and hints on filtration, on trapping waste-pipes of cisterns at the entrance of the drain, and on the often vexatious question of well-sinking—which is seldom carried deep enough—are given to the content of any puzzled householder. He may also by a study of the second chapter learn how to tell good materials from bad, and so, indirectly at least, to gauge the honesty of a builder or contractor. If we may not fathom our fellow-man, we may at least tell the honest brick by its ring and shape; and the mixture of garden mould and road scrapings with pit-sand which is often sold for "ballast" to make into mortar with strong lime, with dry rot and perishing mortar as its results, will readily be detected by any one who has been put on his guard by this volume.

It is, indeed, no little matter to understand the proper constituent parts of mortar and cement, so much have they to do with the binding together of the masses of stone or brick about which Mr. Wheeler has so much to say in the proper place. He winds up an account of the chief building stones by a suggestion that, as in France, a Government Commission should be issued to report upon the supply, nature, and relative value of the various kinds. Though not decidedly hostile to artificial stones, such as Ransome's patent and others, it is easy to see that our author has an architect's prejudice against them; nor are we aware that he has even alluded to those preservative or reparative washes with which, as in the case of the Houses of Parliament, it has been proposed to make perishable stone "beautiful for ever." But on the uses and proper laying of encaustic tiles, which are best laid, according to one of Mr. Minton's workmen, upon a timber floor covered with a sheet of stout zinc to avoid shrinkage; on the best roofing materials, as to which Mr. Wheeler has a strong leaning to good Bangor slates, which may be tested by ring and touch; and on the strength and seasoning of timbers, he is the reverse of reserved or uncommunicative. Upon the subject of slates he in more than one place recommends the wonderfully thin veneers into which they can now be split for the lining of cisterns, as well as of winter wardrobes and linen-closets. Backed with cement, these thin sheets of slate, which can be split to the thinness of a sixteenth part of an inch, would effectually exclude moth or vermin, and the shelves and compartments might be of the same clean and durable material. Floor timbers, Mr. Wheeler thinks, should be deeper than is commonly the case, in order to secure strength and stiffness. In a later portion of his work he recommends the construction, as is sometimes the fashion in Holland or the United States, of a double floor. We pass over the chapter on choice of a situation, because the suitable aspect and the arrangement of outlook, as well as the cautions against the proximity of trees, unless it be a cedar or two or a tree of umbrageous top for coolness in the vicinity of a larder, are points pretty generally known even to amateurs in house-building. Our space also forbids our noticing the hints as to a "house to let" contained in the first chapter of the second part. At the same time, it is only fair to say that any one who has laid them up in his memory need never be taken unawares as to what he has a right to claim of his landlord, nor be at

fault as to what are fixtures, what are removable and what are debatable fittings. He will know how to guard himself against smoky chimneys, and against loose and cheap door-handles, with shank and screw-hole out of which the screw is for ever getting lost. It has happened to ourselves to have been supplied with door-handles the knobs of which actually might be crunched into shapelessness by a fairly strong hand; and therefore we welcome "the door-knob with moveable collar round the shank of the handle, attached by screws to the face of the door, the other end of the knob going through with the door, and being permanently fastened thereto" (see p. 238). All sorts of preliminary advice to those who contemplate building, on estimates, plans, consulting architects, clerks of the works, and similar precautions, will be found in Chapters v.-vii.; while as to the buyer of a house, it is a golden suggestion that he should always, if possible, get a year's previous tenancy, so as to have "wintered and summered it."

The author's experience of his profession, not only in England, but also in America, enables him to offer many valuable suggestions for the re-arrangement, as well as the building *de novo*, of houses whether in town or country. The fault he finds with our town houses is their want of depth, arising probably from the difficulty about lighting the far end of a deep room in our dark atmosphere, as well as from the desire to get a backyard or small garden in the rear. The former difficulty he would cure by a rearrangement of windows, heightening of rooms, and judicious choice of colours for papering. The back external area he would sacrifice, except so far as to allow a small paved air-space. It is worth while to study Mr. Wheeler's application of his New York experience to English town-houses, although there are some features of internal arrangement which the different habits of society in this country render unnecessary. One of the most noteworthy features in the special plan of the house erected by him in Philadelphia is the octagonal planning of the dining-room, allowing as it does ample space for the front door and entrance passage, as well as corners for a fire-proof safe, a private store-closet, and other conveniences. This cutting off of corners, sometimes externally as well as internally, is indeed a great hobby of Mr. Wheeler's, and often a very successful one, though we are not quite sure that such a corner is ever, when it can be avoided, the place for a fireplace. In pp. 142-6 the author gives a plan and details of a London house with considerable depth, with library, dining-room, serving-room, and dressing-room upon the ground floor; front and back drawing-room with connecting ante-room on the first story; and, on three bedroom floors above, as many as nine larger and smaller sleeping rooms, with three dressing-rooms and bath-rooms, box-rooms, linen-closets, and so forth. In a sanitary point of view, the town-houses in pairs with a common party wall, and an external wall with side area for light and air to each, are highly to be commended, as allowing the transit of all house-drains, soil, and waste-pipes to the exterior side area, where they can be readily got at for cleansing and repair.

Equally happy and more diversified are Mr. Wheeler's plans for suburban and country-houses, as to which one capital bit of advice is not to build too much at once. "Much of the justly praised picturesqueness of our English country-houses arises from the additions which successive owners have made to the family homestead, and which often result in a peculiar charm unobtainable in a building planned and completed in one operation." He might have added, that besides the picturesqueness thus added to the exterior, there is an attraction to most minds in the irregular-shaped rooms which are often the result of an addition to the original homestead—as where the addition of a square or oblong space for an external court or garden is made to a narrow study with an arch connecting them, or a kind of apse is added to an already well-proportioned room. The prevailing fashion of ample bays is one which cannot be too much praised, and of this fashion Mr. Wheeler makes excellent use. He has also from his American experience contracted a fondness for verandahs which serves him in good stead in several of his best plans for suburban or country residences. To our thinking, his *parsonages* require to be regarded less as parsonages proper than as the dwellings of professional or business men who do not aim at a very handsome or costly mansion. In accommodation and cost they would frighten the secretary of a Diocesan Church Building Society. One feature in them, however, is very well conceived; we mean the private room opposite the library and hard by the vestibule, which all who have the charge of a parish find so convenient as a "speak-a-word" room. But five principal bedrooms, with four in the wing, two dressing-rooms, a bath-room, &c., &c., strike us as too large a provision for a house which will change hands in each generation, and which, while suitable for a clergyman who has pupils, means, and a large family, will be a tax upon the childless couple who may come after him and will have to keep it up. Very good and complete is the plan of the symmetrical villa of brick with stone dressings, of Italian architecture, square outline, but pleasingly varied elevation. The library, sixteen feet square, is under the campanile, which is carried a full story above the roof, and has a large bedroom on the top floor. A verandah surrounds the drawing-room and morning-room, which are on either side of the library, and a corridor from the drawing-room leads to the garden vestibule and to the conservatory. The dining-room in this as in all Mr. Wheeler's plans is conveniently connected with the kitchen, a serving-room and butler's pantry alone intervening, but not so as to interrupt direct access. Considering the amount of convenience and accommodation, we should call

this villa cheap at the author's estimate of 3,000*l*. But the house upon which we have set our affections is the large stone house with a tower, of which there is a drawing in the vignette, and which we learn was erected on a beautiful site on the slope of the Berkshire hills, Massachusetts, U.S. It is of irregular plan, and was designed to afford views of the wild scenery of the surrounding country. Hence its large square tower at the outer corner of the entrance, the windows of the square billiard-room in which command the landscape in every direction. Thick stone walls exclude heat, and a moderate area of glass secures pleasant internal temperature. The ground story of the tower is the library, 24 ft. square, and above the billiard-room is a parapet and flat cement roof, over which is an open-air "specula." Another pleasant break of the regularity of this plan is the boudoir on the right of the entrance porch with a room intervening. This has an octagonal projecting bay carried up to the roof as a lesser tower, and affording the same feature to the room above, which is the young lady's sitting-room, with an adjacent work-room for her maid. All the details of this house are in keeping, and its arrangements strike us as well nigh perfect. It has but one long corridor, a great recommendation in the author's eyes, though we are far from sure that corridors have not their utility, as they certainly have their charm. When fairly broad, they serve for a promenade between the dances at a ball.

Many hints about less expensive dwellings than those we have glanced at might be culled from this handbook, but our few remaining notes must be *à propos* of the "several parts of a house," which form the subject of a later chapter. Mr. Wheeler obeys a sound instinct when he rebels against the old theory of dingy furniture and dark flock papers for dining-rooms. In the library, too, he attaches due weight to the windows at the end and sides, and the recess for a table with front and side lights to catch the best aspect at each hour of the day. A deep bay or oriel with a cushioned immovable seat or locker, at the far end of the room, facing East, where the sun is off the windows by noon, is very desirable. And besides the ventilation of book-cases, for which the author provides, it is of importance to insist on the shelves being of sufficient thickness and of such moderate length, or with such frequent supports, as to prevent the weight of the books causing them to bend and give way. We see no notice of a plan which is very useful for arranging the leather work at the top of each row of books—namely, to glue it to oak strips attached to the shelves by a hinge, so as to facilitate the leather being raised to remove a book or books. But the suggestion in p. 215 of fixing the library window roller-blinds at the bottom instead of top, with a cord passing over a pulley above, and allowing light from the upper part of the window, is a very happy and, to us, original device. The hints for drawing-room decoration, for billiard-rooms, kitchens, &c., are clever and practical. The laundry is well conceived, too, though, if on a large scale, it would be worth while to have patent rinsing-machines, and hot closets for steam-drying the clothes passing through them upon clothes-horses, as described by Mr. Kerr. Much more might we say of this excellent vade-mecum, of its sound advice as to offices, out-door arrangements, terraces, covered carriage-ways, and everything, in short, entering into the category of "the house and its essentials." It is easy to predict that it will take its place as a permanent book of reference on the subject of which it treats, and there can be no doubt that it will be the means of saving much time, worry, and expense to inexperienced persons who consult it when about to build or buy a house.

A WOMAN'S FAITH.*

WE may perhaps venture to entertain a hope that novel readers in the stirring events of the last two years will have become surfeited with mere incident, however exciting, and will once more ask for delineation and development of character. It may, however, be the case that increase of appetite grows by what it feeds on, and that those who only a few months ago, if their morning paper did not contain an account of some bloody fight or siege, cried, "Pie upon this quiet life! there is nothing in the paper," will still expect to have their "six or seven dozen" killed for them, if not in real life, at all events in fiction. The influence of the telegraph moreover, we fear, will be unfavourable to a quiet style of writing, and in the constant supply which it furnishes of startling incidents, in what may perhaps be called Reuter's English, will do but little to foster a taste for those novelists in whose pages adulteries and murders are not as frequently repeated as the text in a long sermon. We would suggest that a skilful writer might perhaps combine the advantages of the old and new styles, and so might please the taste of two sets of readers. He might, by a plan which we shall presently unfold, give a most minute delineation of character, and yet avail himself of all the resources of modern science in producing startling incidents. All that is required is to combine the old letter-written novel with modern telegraphy. If, for instance, a modern *Clarissa Harlowe* were living in India and her correspondent were in England, letters could be written as long as those of last century, and character and incident could be as slowly and as minutely unfolded. At the same time, for those who are as eager for the rapid development of a plot

as persons who travel on the Great Eastern Railway are for the end of their journey, there could be sent by cable, not only a summary of each important letter, but also a notice of each important event. Even those who read the story in full would occasionally find a curious kind of interest in the news that came by telegraph; for while they were watching how the various characters were regarding the incidents that were surrounding them, and the hopes and fears they were entertaining, they themselves would often, by the previous insertion of some brief telegram, be aware what the issue had been. The heroine might, for instance, in a long course of letters from India, have been describing the machinations of the villain of the piece, and the plot he was slowly weaving round her. When the story was at its minutest and things at their blackest, a telegraph, brief but impressive, would arrive, announcing that "Vice was defeated and Virtue triumphant." The letters brought, however, by the next two or three mails would all be of the most desponding order, and the reader, aware that his beloved heroine was saved, would study without the pain of anxiety her efforts and alarms, and at the same time would be full of eagerness to learn how she had finally managed to escape. It might be objected that a story set before the reader on such a method as this, where the general narrative was often a month behind the most striking events, would have lost much of that breathless interest which the unfolding of a skilfully arranged plot affords. But we must remember that, on the one hand, our plan is confessedly a compromise between two opposite schools of novel-writing, and, on the other hand, that the interest would be just as often excited as lessened if the telegraph part of the book were skilfully managed. It will be some while, however, we fear, before a book appears written on this plan, though we do not reserve our invention for ourselves, but throw it open to the world. Meanwhile, till we can have a story thus written which will please every one, we must be content to go on dividing our novels for the most part into two classes. We shall still have the novel of incident and the novel of character. There are doubtless many novelists who more or less successfully combine both, but we generally find that those who deal in a rapid succession of startling incidents do not attempt to delineate character; and that those who attempt to delineate character do not deal in a rapid succession of startling incidents. If, however, as at the outset of our remarks we hoped might be the case, novel readers have had enough of startling incidents to serve them for some time, and would like a little repose in the fictions they read, we can with a good conscience recommend to them *A Woman's Faith*. It might be objected that, however free, with perhaps one exception, the story is from what are called sensational scenes, the rate of mortality nevertheless is excessively high. The heroine's sister dies, her mother dies, her baby dies, the hero's bosom friend dies; and the wild Italian girl, the heroine's unknown rival, dies. And yet so clearly is the author averse to dying scenes that, with the exception of the baby, all of them die off the stage. From the very opening scene, too, we are led to expect a tolerably rapid succession of deaths, as three of the characters are introduced to us in a very weak state of health. That the rate of mortality therefore should be high is as natural as it is in *St. Pancras Workhouse*, and does not afford any just grounds of astonishment or complaint.

The plot is simple enough. Two women are in love with one man; the one, Margaret Herapath, a pure, high-minded English girl, the other, Candida, a passionate, unscrupulous Italian peasant girl. Candida, by detaining some letters, makes the hero, Richard Brandon, believe that Margaret is faithless to him, and so keeps him for her own lover for two years. In the end he finds out how he had been deceived, and marries Margaret, without, however, having the courage to avow the intimacy that had existed between him and Candida. Candida, finding herself deserted, though not left unprotected, revenges herself by giving Margaret proofs of her husband's former intimacy with her, and by stealing their newborn baby. The baby dies from exposure to the weather, but throughout this double trial Margaret still shows herself "a Faithful Woman." The story, by the way, we would observe, bears two names. On the title-page it is called "*A Woman's Faith*," but the heading of each page is "*A Faithful Woman*." Candida herself soon afterwards dies in a hospital, penitent and forgiven. Margaret adopts the child that her rival had borne to Richard Brandon, and brings it up as her own son. The first scene of the story is laid in Rome, and the hero, in a series of letters to his friend, an English country parson, gives a lively and interesting description of the society of that capital. These letters are the cleverest part of the whole book, and in a very pleasant manner they gradually introduce us to all the characters, few as they are in number, of the story. We have Rosie, Margaret's invalid sister, who, with all the suffering of a sick couch, manages, as so many women in real life do manage, in the intervals of pain to be the liveliest in her talk, and the warmest in her sympathies with the pleasures of others, though she cannot herself share in them. She has many a discussion with the hero, upholding England, from which she is an unwilling exile, against Italy, where he lives by choice. He had on one occasion "ostentatiously shivered" at the very notion of an English spring, when not only Rosie, but also Margaret, thus attack him:—

"Oh, Margaret! and to think of those April mornings on the Greywood hills!"

"And the beech-woods in early May! and the little cypresses, blue with hyacinths! and the singing of the birds!"

"Yes; we've no such birds *here*, Mr. Brandon. They're too used to the

* *A Woman's Faith*. By the Author of "Ethel," &c. &c. 3 vols. London: Sampson Low & Co. 1872.

sunshine to sing praises for it, *Aere*. I never could have imagined such an anomaly as a languid skylark until I heard one here, the other day. He was fairly, literally, *blase*, poor fellow, and his wings and his voice both failed him. Did you ever happen to hear an English skylark, Mr. Brandon?"

Besides Rosie we are introduced to pretty Mrs. Portland, whose enthusiastic talk was not unevenly balanced by her husband's matter-of-fact brevity. Perhaps at times her garrulity is too fully reported; but, on the whole, she in her long speeches, and her husband in his short speeches, are cleverly drawn characters. Brandon tells his friend of his first meeting with Margaret, of the first time he heard her voice. He had been riding along, and while stopping his horse to gaze

into the almost dazzling brilliance of a kind of "drift" of those blossoms which had lodged about the spreading roots of some finely grown oak-trees, he heard a voice, coming from the wood, say,

"We must gather plenty of them for Rosie. How she would love to see them here! How she would—oh, if the poor darling could only have come with us to-day! This lovely, lovely, lovely day!" It seemed as if the voice would naturally have burst into singing, only for the underlying pathos of this tender regret.

He luckily managed at this moment to get his horse badly lamed, and so everything was provided that was needed to lead to an introduction. Everything would have gone on smoothly enough, and one volume instead of three would have easily contained the whole story, had it not unfortunately been the case that where Margaret was lodging there also was her rival, the unscrupulous Candida. Brandon had some months before been kind to this girl when she was ill, and without knowing it had won her love. For some weeks love-making goes on very pleasantly and steadily, when, as ill-luck would have it, Brandon hears that his bosom friend in England has fallen so alarmingly ill that he must at once hurry from Rome to his bed-side. In his absence Rosie dies, and the Herapaths also return to England. The letters that Margaret had sent to her lover, through Candida's treachery, never reach even the post, and when he hastens back to Rome it is to find that he has lost all trace of her. The hurried journey and the double anxiety he has had prove too much for him, and, combined with the unhealthiness of the Campagna in summer, strike him down with a fever. He is nursed through it by Candida, and, on his partial recovery, hears from a gossiping correspondent in England that Margaret is starting for America, and in all probability will soon be married. A man's faith, we fear, is weaker than a woman's, for he at once yields to despair, while Candida, in a "tearless frenzy," reveals to him her passion, which as yet was unknown to him.

Two years the story passes over in silence. At the end of that time Brandon, coming to London, suddenly meets Margaret, and learns that she has throughout been faithful to him. They are soon married; but who ever heard of a marriage only half-way through the second volume that boded any good? The sufferings, the remorse, and the faith that are told of in the sequel of the story, we have already briefly described. The chief merit of the story lies in the characters of Margaret and her sister Rosie, which are very well drawn, and in the lively conversations and descriptions of a quiet society in which the book abounds. We must remark, however, that the story might have been in many places cut down with advantage. The author writes with facility and accuracy, and no doubt finds a constant pleasure in the easy run of her pen and the easier flow of her words. Nevertheless, after she has gratified her own love of composition, she would do well at times to gratify her reader's love of brevity, by scoring out, *traverso calamo*, not a little of what she has written. Penelope lost none of her woosers by her habit of undoing at night what she had done in the day, and authors would lose none of their readers if, in moderation, they followed in her steps.

NOTICE.

We beg leave to state that we decline to return rejected communications; and to this rule we can make no exception.

The SATURDAY REVIEW is duly registered for transmission abroad.

The publication of the SATURDAY REVIEW takes place on Saturday mornings, in time for the early trains, and copies may be obtained in the Country, through any Newsagent, on the day of publication.

Nearly all the back Numbers of the SATURDAY REVIEW may be obtained through any Bookseller, or of the Publisher, at the Office, 38 Southampton Street, Strand, W.C., to whom all Communications relating to Advertisements should likewise be addressed.

Now ready, VOLUME XXXII., bound in cloth, price 18s. Cloth Cases for Binding all the Volumes, price 2s. each. Also, Reading Cases, price 2s. 6d. each. May be had at the Office, or through any Bookseller.

THE SATURDAY REVIEW.

Price 6d.

CONTENTS OF No. 854, MARCH 9, 1872:

- Prince Bismarck and the School Question.
The House of Lords and the Public Business. The Attack on the Education Act.
The Tichborne Case. Mr. Goldwin Smith on English Institutions.
France. Mr. Lowe and the Income-Tax Deputation.
Legal Education.
The Story of the Tichborne Case.
Newspaper Decorum. The Catholic Movement in Bavaria.
Imperialism Whitewashed. Infant Life Protection. Recruiting.
The Debates in the Swiss *Sonderath*.
The Ecclesiastical Courts Bill.
Fremard's Corps in the Late War. History for the Young.
Gray's Birds of the West of Scotland. Sala's Papers Humorous and Pathetic.
Ratis Raving. O'Shaughnessy's Lays of France.
Eastlake's Gothic Revival. The Choice of a Duelling.
A Woman's Faith.

CONTENTS OF No. 853, MARCH 2, 1872:

- The Queen and the National Thanksgiving—England and America—The Ballot Bill—The Count of Chambord—Mr. Lowe's Resolutions—Spain—The Government and the Education Question—Pay and Expenses in the Army.
Crowds—Last Tuesday—The Literary Uses of Folly—Aesthetics of the Thanksgiving—Interviewing a Prince—Parliamentary Logic—The Renewal of the Vatican Council—The Sunday Post.
Blaet's Essays on Historical Truth—Dixon's Switzers—Eliza's Life of Lord Byron—Schmidt on Modern Greek Folk-Lore—Poor Miss Finch—Malleson's Recollections of an Indian Official—The Cumberland Dialect—French Literature.

London: Published at 38 SOUTHAMPTON STREET, STRAND, W.C.

ADVERTISEMENTS.

LONDON INTERNATIONAL EXHIBITION, 1872.—SEASON TICKETS now on Sale at the Albert Hall Ticket Office, and at the usual Agents. For a Gentleman, 4s. For a Lady, 2s. For a Youth under Fifteen years, 1s.

ELIJAH WALTON'S ENTIRE COLLECTION of OIL and WATER-COLOUR PAINTINGS, now on view, at his GALLERY, 4 Westminster Chambers, Victoria Street, Westminster.—Admission, 1s. Open daily from 10 till Five.

DORÉ GALLERY.—GUSTAVE DORÉ, 35 New Bond Street. EXHIBITION of PICTURES (including "CHRISTIAN MARTYRS," "MONASTERY," "TRIUMPH OF CHRISTIANITY," "FRANCISCA DE BIREMI"). See to Six.—Admission, 1s.

UNIVERSITY of LONDON.—NOTICE is hereby Given, that on Wednesday, 31st of April next, the Senate will proceed to Elect EXAMINERS in the following Departments:

Examinerships.	Salaries (Each).	Present Examiners.
ARTS AND SCIENCES.		
Two in Classics	£120	Rev. Dr. Holden, M.A.
Two in The English Language, Literature, and History	£120	J. G. Fitch, Esq., M.A.
Two in The French Language	£100	Prof. Henry Morley.
Two in The German Language	£20	Prof. Camal, LL.D.
Two in The Hebrew Text of the Old Testament, the Greek Text of the New Testament, the Evidence of the Christian Religion, and Scripture History	£50	Gustave Masson, Esq., B.A.
Two in Logic and Moral Philosophy	£20	H. Ross, Esq., Ph.D.
Two in Political Economy	£20	Rev. Samuel Davidson, B.D., LL.D.
Two in Mathematics and Natural Philosophy	£20	Prof. G. Crook Robertson, M.A.
Two in Experimental Philosophy	£100	Rev. John Vein, M.A.
Two in Chemistry	£175	Prof. W. Stanley Jevons, M.A.
Two in Botany and Vegetable Physiology	£175	Prof. T. E. Cliffe Leslie, LL.B.
Two in Zoology and Paleontology	£175	Prof. H. J. S. Smith, M.A., F.R.S.
Two in Law and the Principles of Legislation	£100	Prof. Sylvester, LL.D., F.R.S.
One in Equity and Real Property Law	£50	Prof. W. G. Adams, M.A.
MEDICINE.		
Two in Medicine	£150	Prof. G. Carey Foster, B.A., F.R.S.
Two in Surgery	£150	H. Debus, Esq., Ph.D., F.R.S.
Two in Anatomy	£150	Prof. Odling, M.B., F.R.S.
Two in Physiology, Comparative Anatomy, and Zoology	£150	J. D. Hooker, Esq., D. Sc., F.R.S.
Two in Obstetric Medicine	£75	Thomas Thomson, Esq., M.D., F.R.S.
Two in Materia Medica and Pharmacology	£75	Prof. Duncan, M.B., F.R.S.
Two in Forensic Medicine	£75	Prof. Morris, F.R.S.
LAW.		
Two in Law and the Principles of Legislation	£100	Prof. Bryce, D.C.L.
One in Equity and Real Property Law	£50	T. Erskine Holland, Esq., B.C.L., M.A.
MEDICINE.		
Two in Medicine	£150	Herbert H. Coates-Hardy, Esq., LL.B.
Two in Surgery	£150	J. S. J. Bristowe, Esq., M.D.
Two in Anatomy	£150	Prof. J. Russell Reynolds, M.D., F.R.S.
Two in Physiology, Comparative Anatomy, and Zoology	£150	John Bickett, F.R.C.S.
Two in Obstetric Medicine	£75	Prof. John Marshall, F.R.S.
Two in Materia Medica and Pharmacology	£75	Prof. G. Viner Ellis, F.R.C.S.
Two in Forensic Medicine	£75	Prof. John Wood, F.R.S., F.R.C.S.
LAW.		
Two in Law and the Principles of Legislation	£100	Prof. Michael Foster, M.D., M.A.
One in Equity and Real Property Law	£50	Henry Fowler, Esq., M.B.
MEDICINE.		
Two in Medicine	£150	Robert Barnes, Esq., M.D.
Two in Surgery	£150	Prof. Granville Hewitt, M.D.
Two in Anatomy	£150	T. M. Fraser, Esq., M.D.
Two in Physiology, Comparative Anatomy, and Zoology	£150	Prof. Garrod, M.D., F.R.S.
Two in Obstetric Medicine	£75	Vacant.
Two in Materia Medica and Pharmacology	£75	Vacant.
Two in Forensic Medicine	£75	Vacant.

The Examiners above named are re-eligible, and intend to offer themselves for re-election. Candidates must send in their Names to the Registrar, with any attestation of their Qualifications they may think desirable, on or before Tuesday, March 8. It is particularly desired by the Senate that no personal application of any kind be made to its individual Members.

Burlington Gardens, By Order of the Senate, March 5, 1872. WILLIAM B. CARPENTER, M.D., Registrar.

RUGBY SCHOOL.—FOUR SCHOLARSHIPS, tenable for Five Years. If the holder shall remain so long at the School, will be open for Competition in June next to BOYS, whether already in the School or not, who shall not be over fourteen on the 1st of that month. Applications for Admission to the Examination must be made to the Head-Master on or before June 1. Testimonials of Good Conduct and Certificates of Birth must be sent at the same time.

Rugby, March 1872. HENRY HAYMAN, Head-Master.

MARLBOROUGH COLLEGE, March 1872.—THIRTEEN SCHOLARSHIPS, varying in value from £20 to £15 a year, besides a certain number of FREE ADMISSIONS, will be competed for early in June next. Applications for Admission to the Examination must be made to the Head-Master on or before June 1. Testimonials of Good Conduct and Certificates of Birth must be sent at the same time. Are of Candidates from Twelve to Sixteen. Full particulars may be obtained on application to Mr. SELICK, the College, Marlborough.

RADLEY.—ST. PETER'S COLLEGE.—TWO ENTRANCE SCHOLARSHIPS of £20 per annum for Four years, open to Boys who were under Fourteen on January 1, 1872, will be filled up on April 25.—Apply to the WARDEN or the BURSAR.

WOOLWICH.—INDIAN ENGINEERING COLLEGE and **CIVIL SERVICE AND LINE.**—Rev. Dr. HUGHES (Wrang. Joh. Col. Cam.), who during the last 20 years has passed over 300 Pupils for the above, continues to receive CANDIDATES.—Ealing, W.

FOLKESTONE.—PREPARATION FOR PUBLIC SCHOOLS.—The Rev. A. L. HUSSEY, M.A., Christ Church, Oxford, formerly a Master at Radley College, will REMOVE at Easter with his Pupils to a large house at FOLKESTONE, where he can receive more Boys.—Present Address, Peterley, Great Missenden, Bucks.

AT IKLEY.—Mr. ALGERNON FOGGO, M.A., of Christ's College, Cambridge, late Head-Master of the Bradford High School, will take **TWELVE PRIVATE PUPILS**, Boarders, to Prepare for the Public Schools.—Address, Moorlands, Ikley, Yorkshire.

MR. A. D. CLARKE (B.A. Cambridge) and **MR. A. M. LIPSCOMB (B.A. Oxon)** receive **RESIDENT and NON-RESIDENT PUPILS** for the various Competitive Examinations, and for the Universities. During the last three years Pupils have been prepared for the following Examinations:—Oxford (Final Schools and Matriculation), Cambridge (B.A. Exam. and Matriculation), Indian Telegraph Service, Engineering College, and Woods and Forests; Woolwich, Direct Commission, Diplomatic Service, British Museum, Institute of Actuaries, Preliminary Law and Medicine.—For Terms, References, &c., apply to Mr. A. D. CLARKE, 26, Torrington Square, W.C., or to Mr. A. M. LIPSCOMB, 53, Bernard Street, Russell Square, W.C.

MATHEMATICS, MECHANICS, &c., rapidly yet thoroughly Taught, for Examinations or Private Study, by a B.A. of CAMBRIDGE.—A. G., 10 Great Ormond Street, Queen Square.

BRUSSELS.—Superior **BOARD and RESIDENCE** offered to **YOUNG GENTLEMEN**, in a Private Protestant Family at Brussels. First-class references in London, Paris, and Brussels. Advertiser now in London.—Letters to be addressed to H. H. H., 15 Bentinck Street, Cavendish Square, W.

OXFORD.—A **PHYSICIAN and M.A.** will receive **PUPILS** (Members of University or otherwise) requiring special care.—Address, J. B., Post Office, 407 Strand.

EDUCATION in GERMANY.—For Prospectuses and Information respecting the **SCHOOL for YOUNG GENTLEMEN**, conducted by Professor HIRSCH, of Cannstatt, near Stuttgart (recommended by Dr. Norman MacLeod, one of Her Majesty's Chaplains), apply to F. HOSWOOD, Esq., 106 Palmerston Buildings, Old Broad Street, E.C., who will arrange for interviews with Professor Hirsch, when he is in London, in April to meet pupils.

AN OXFORD M.A. wishes for employment as **PRIVATE SECRETARY or amanuensis** for a few months, in the Neighbourhood of London.—Address, CH. CH., Shelton, Newark.

SEVERAL JUNIOR CLERKS (not less than Seventeen Years of Age, who have held no previous Situation) **WANTED**, in a large City House. No Salary would be given for the First Year, neither would Lodging be provided, but well-educated Youth would have an opportunity of pushing forward if they showed Ability.—Apply, by letter only, giving full particulars of Parentage and Places of Education, to COLONIAL, care of Wm. Dawson & Sons, 121 Cannon Street, London, E.C.

A GENTLEMAN living abroad, wishing to Publish a Miscellaneous **PERIODICAL**, stands in need of a **PUBLISHER** in LONDON. The Publication is to be a Quarterly Pamphlet, not much exceeding three sheets; the subjects to be mainly Political, Literary, Philosophical, Moral, and Religious. The Author having lived at different times in various quarters of the globe, is something of a cosmopolite, and accordingly not much influenced by national predilections.—Applicants are requested to specify their Terms of Publication without delay, and direct them to Mr. TCHIRIA, Photographer (Local Agent for Dr. C.), Lorsch, Baden.

A WELL-KNOWN AUTHOR is about to start a **NEW PERIODICAL**. £500 REQUIRED. Good security (as well as mortgage of Copyright) given. Interest 10 per cent., besides liberal Bonus. No loan-office keeper need apply. Address A. E. G., 20 Great Russell Street, Bloomsbury.

HYDROPATHY.—**SUDBROOK PARK**, Richmond Hill. Physician—Dr. EDWARD LANE, M.A., M.D. Edin. Turkish Baths on the Premises. Private entrance into Richmond Park. Prospectus on application.

OVERLAND ROUTE.—The **PENINSULAR and ORIENTAL STEAM NAVIGATION COMPANY** BOOK PASSENGERS and receive Cargo and Parcels by their Steamers for

	FROM SOUTHAMPTON.	FROM BRINDISI.
GIBRALTAR	Every Thursday, at 2 p.m.	—
ALEXANDRIA	Every Thursday, at 2 p.m.	Every Monday, at 5 a.m.
ADEN	Every Thursday, at 2 p.m.	—
BOMBAY	—	—
COLOMBO	—	—
CHINA	—	—
JAPAN	—	—
NEW ZEALAND	—	—
(Cargo only)	—	—

And all Ports touched at by the Steamers of the British India Company. An abatement of 20 per cent. from the charge for the Return Voyage is made to Passengers who have paid full fare to or from Ports Eastward of Suez re-embarking within Six Months of their arrival, and 10 per cent. to those re-embarking within Twelve Months.

Through Tickets to Brindisi can be obtained of LEBRAU & Co., 6 Billiter Street, E.C. (South Italian Railway Office).

For Rates of Passage Money and Freight, which have been much reduced, and all other information, apply at the Company's Offices, 122 Leadenhall Street, London, or Oriental Place, Southampton.

BRIGHTON.—BEDFORD HOTEL.—Every endeavour is made to render this Hotel equal to its long-existing reputation. Spacious Coffee Room for Ladies and Gentlemen. Sea-Water Service in the Hotel.—Communications to The Manager, Bedford Hotel Company, Limited.

WELBY PUGIN'S GOTHIC FURNITURE.—Furniture similar to that supplied to the Granville Hotel, from the designs of E. Welby Pugin, Esq., can be obtained on application to the Manager of the South-Eastern Works, St. Lawrence, Isle of Thanet.

HORSE.—Powerful **BROUGHAM HORSE** WANTED, for Trade use.—Address, W. J. H., 6 Canonbury Grove, London, N.

WANTED TO PURCHASE some **OLD ARTIFICIAL TEETH.**—Persons having the above to sell can forward them by post or otherwise, and their value will be sent per return.—Address, Mr. E. BROWNING, Dentist, 53 Chiltern Street, Paddington, London.

RODRIGUES' MONOGRAMS, ARMS, CRESTS, and ADDRESSES Designed, and Steel Dies Engraved as Gems.

RAISED, RUSTIC, GROTESQUE, and ECCENTRIC MONOGRAMS artistically designed for any combination of Letters. NOTE PAPER and ENVELOPES stamped in Colour Relief, and brilliantly illuminated in Gold, Silver, and Colours, in the highest Style of Art. CARD-PLATE elegantly engraved, and 100 Superfine Cards printed, for 4s. 6d.

At HENRY RODRIGUES', 49 PICCADILLY, LONDON.

WHAT WILL THIS COST TO PRINT?—An immediate Answer to the Inquiry, and a SPECIMEN BOOK of TYPES, with Information for Authors, may be obtained on application to R. BARRETT & SONS, 13 Mark Lane, London.

PATENTED IMPROVEMENT in WATCHES.—E. DENT & CO., 61 Strand and 34 Royal Exchange, London, invite especial attention to a **NEW ESCAPEMENT** which they have recently introduced for **HALF CHRONOMETER WATCHES.** The object of this invention is to correct those irregularities in the going which the carelessness of the wearer might occasion, and at the same time to protect the weaker portions of the Movement from injury. It is particularly recommended to Gentlemen who ride and Officers in the Army. The extra cost which it involves is £2 2s. 1d. and it can generally be adapted to Lever Watches at a cost of about £5 10s.

SPECIAL MACHINE-MADE PRODUCTIONS. 18-CARAT GOLD and GEM JEWELLERY. ENGLISH LEVER WATCHES and CLOCKS.

Quality of Gold guaranteed on the Invoice. Each Article marked in Plain Figures. Illustrated Catalogue and Price List post-free for Two Stamps.

MR. STREETER, 37 CONDUIT STREET, BOND STREET, W.

MR. STREETER, JEWELLER and DIAMOND MERCHANT, 37 CONDUIT STREET, BOND STREET, LONDON, W.

BURLINGTON STEAM WORKS, SAVILE ROW.

ECCLIESIASTICAL COMMISSIONERS for ENGLAND.

REGULATIONS RESPECTING GRANTS OUT OF THE COMMON FUND TO MEET BENEFACTIONS.

FEBRUARY 1872.

The Commissioners are prepared to receive, on or before the 20th of November, 1872, offers of Benefactions of not less than £100 each in capital value towards making better provision for the cure of souls, with a view to such offers being met by the Board with Grants during the Spring of 1873.

The distribution of these Grants will be made subject to the following general Regulations:

1. A Benefaction from Trustees, or from any Diocesan or other Society or body of contributors, as well as from any individual, whether such Benefaction consist of money, land, house, site for a house, tithe, or rentcharge, any or all, may be met by a Grant from the Commissioners; but neither a Grant from Queen Anne's Bounty, nor a Benefaction already met by such a Grant, nor money borrowed of Queen Anne's Bounty, nor a charge upon the revenues of any Ecclesiastical Corporation aggregate or sole (except as an under-mentioned), nor any Endowment, Bequest, Gift, or Benefaction already secured to a Benefactor or Church, can be met by a Grant from the Commissioners.
2. The Grants will consist of Perpetual Annuities in all cases, except those in which, with a view to the provision of Parsonage Houses, or for other reasons, it may appear to the Commissioners to be especially desirable that Capital should be voted.
3. No single Benefactor or proposed District will be eligible to receive a Grant of a larger sum than £50 per annum, or of £1,500 in capital, and in no case will the Grant exceed in value the Benefaction offered, the Grant being estimated as worth thirty years' purchase.
4. Districts proposed, but the formation of which shall not have been legally completed on or before the 1st of January, 1873, will not be eligible to receive Grants, except in cases where the amount of Benefaction offered would, with the Commissioners' Grant, be sufficient to provide an income of £150 per annum.
5. In selecting cases priority will be given to those which, having regard to income and population, shall appear to be the most necessitous.
6. A Benefactor held contrary to the provisions of the Plurality Acts as applicable to new Incumbents will not be considered eligible for a Grant.
7. A Benefactor which has received a Grant is not disqualified, on the offer of a further Benefaction, from competing for a further Grant in any subsequent year.
8. The Benefaction, if in cash, and the Grant, if it consists of capital, may, in the case of existing Benefactors, with the consent of the Commissioners and the Bishop of the Diocese, be laid out in the purchase of land, or tithe rentcharge, within the Parish or District, or in the purchase or erection of a Parsonage House.
9. Every application must contain a specific offer of a Benefaction, and must reach the Commissioners' Office on or before the 30th of November, 1872, in order to render it eligible to compete for a Grant in the Spring of 1873; and in the event of a Grant being made to a Benefactor, the Benefaction, if in money, must be paid to the Commissioners on or before the 1st of May following.

All Communications should be addressed to the SECRETARY, Ecclesiastical Commission, 10 Whitehall Place, London, S.W., and the postage prepaid.

By Order of the Board,

GEORGE PRINGLE, Secretary.

* Where the Incumbent of a Benefice is willing to surrender a portion of the Endowment of such Benefice towards augmenting the Income of a District Church, such surrender will be treated as a Benefaction of a sum equal to ten years' purchase of the net annual income so surrendered.

CHURCH DEFENCE.—GENTLEMEN who are willing to undertake the duty of LECTURING for CHURCH DEFENCE are requested to communicate with the Secretary of the "Church Defence Institution," 25 Parliament Street, S.W. Graduates of the Universities preferred.

MEETING AT THE MANSION HOUSE.

THANKSGIVING FUND for the COMPLETION of ST. PAUL'S CATHEDRAL.—Notice is Hereby Given that a PUBLIC MEETING will be held, by permission of the Right Honourable the Lord Mayor, at the Mansion House, on Monday next, March 11, at Two o'clock, for the purpose of considering the best means of providing Funds for the Completion of St. Paul's Cathedral, and for receiving, in the Subscription Book signed by Her Majesty the Queen and by His Royal Highness the Prince of Wales, the offerings and signatures of those who may be willing to contribute to the National Object.

The two ancient Subscription Books bearing the signatures of King Charles the Second, of his brother James, Duke of York (afterwards James the Second), of Lord Clarendon, and of other persons of historical distinction, will be laid on the table, together with the new Subscription Book.

The Lord Mayor has kindly consented to preside.

WILLIAM LONGMAN,
Chairman of the Finance Committee.

Monday, March 4, 1872.

THE ASTRONOMER-ROYAL Reported to the Admiralty (August 13, 1870), on 40 Chronometers entered for annual competition, "M. F. DENT'S is the finest we have ever had on trial."—M. F. DENT, Chronometer, Watch, and Clock Maker to the Queen, 30 COCKSHUR STREET, CHANCERY CROSS.

"They come as a boon and blessing to men, The Pickwick, the Owl, and the Vervetree Pen."

1,000 NEWSPAPERS recommend them. For their names see "Graphic," January 13, 1872.—The Sun says: "The Phoenix Pen creates both wonder and delight."—Sold by every Stationer in the World. Sample Book by post, 1s. 4d. MACNIVEN & CAMERON, 23 Blair Street, Edinburgh.

FISHER'S GLADSTONE BAG, PORTMANTEAUS, DRESSING CASES, ELEGANCES for PRESENTS, &c. &c. Of all Descriptions and Sizes at Moderate Prices, made on the premises, of the best Workmanship.

The GLADSTONE BAG (Portmanteau and Dressing Case combined) is superior and more convenient than any yet introduced.

Catalogues Post-free.

FISHER, 188 STRAND, LONDON, W.C.

FENDERS, STOVES, KITCHEN RANGES, FIRE-IRONS, and CHIMNEY-PIECES.—Buyers of the above are requested, before finally deciding, to visit the SHOW-ROOMS. They contain such an assortment of Fenders, Stoves, Ranges, Chimney-pieces, Fire-irons, and General Ironmongery as cannot be approached elsewhere, either for variety, novelty, beauty of design, or exactness of workmanship, or price.

Black Register Stoves from 8s. to 12s. 6d.
Bright ditto, with Ornamented Fronts from 12s. 6d. to 25s. 10s.
Brazed Fenders from 3s. 6d. to 12s. 6d.
Steel and Ornamented Fenders from 12s. 6d. to 25s. 10s.
Chimney-pieces from 12s. 6d. to 25s. 10s.
Fire-irons (Set of Three) from 3s. 6d. to 12s. 6d.

COAL SCOOPS.—WILLIAM S. BURTON has 400 different Patterns of COAL SCOOPS on SHOW, of which he invites inspection. The Prices may be seen in his Catalogue, containing upwards of 800 Illustrations of his various Stocks, with List of Prices and Plans of the 20 large Show-rooms, post-free.—30 Oxford Street, W. 1, 1A, 2, 3, and 4 Newman Street; 4, 5, and 6 Perry's Place; and 1 Newman Yard, London, W. The Cost of delivering Goods to the most distant parts of the United Kingdom by Railway is trifling. WILLIAM S. BURTON will always undertake delivery at a small fixed rate.

ESTABLISHED 1864.

TIMEWELL, SPECIAL TAILOR and MILITARY OUTFITTER to Gentlemen who require no Credit, 6 Saville Row, Piccadilly, W. "A private trade of highest class and character, yielding to its patrons the full advantages of their position." Book of Prices post free.